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## NEW LIGHT ON ST. CUTHBERT?

IN 1827 the Librarian of Durham Cathedral, the Rev. James Raine, conducted a hasty examination of St. Cuthbert's tomb, in which he claimed to have found the saint's bones in a state of decay. His book *Saint Cuthbert*, published in 1828, may be said to inaugurate modern writing on this subject. It aroused the antipathy of many Catholics, chiefly because the writer claimed to have circumstantial evidence that the alleged incorruptibility of St. Cuthbert was only a fraud of the monks; St. Cuthbert himself was treated with a certain reverence in Raine's account, although there was a clear tendency to rule out the miraculous. Lingard wrote *Remarks* on Raine's discovery and questioned the accuracy of some of his observations. However, it was left to Mgr. Charles Eyre, later Archbishop of Glasgow, to give the fullest and most satisfactory account of the saint in his *History of St. Cuthbert*.

The further investigations in Durham Cathedral which took place in 1867 and 1899 inspired a certain number of writings, chiefly on the subject of St. Cuthbert's tomb. The most recent and so far the most scholarly book on the saint is the edition of *Two Lives of Saint Cuthbert, A Life by an Anonymous Monk of Lindisfarne and Bede's Prose Life*, by Bertram Colgrave, Reader in English of the University of Durham.<sup>1</sup> Although a great deal of the author's scholarship is devoted to the accurate establishment of an authentic text, a work in which he will have the support of all Catholic scholars, there are in addition some fifty pages of very erudite notes which may be questioned in certain details. Furthermore, although Mr. Colgrave writes with the strict accuracy and studied neutrality of a conscientious historian, it may be that he is sometimes too purely secular in his judgements. Even so, a Catholic can only be grateful to Mr. Colgrave for the tremendous labour and minute care with which he has approached his subject, and for such new light as he has been able to throw upon it.

After this edition, the anonymous *Life* by the monk of Lindisfarne stands out for its simplicity and for its obvious closeness to the saint himself, partly because the author followed the same rule of life as the saint: "He dwelt there also according to Holy Scripture, following the contemplative amid the active life, and he arranged our rule of life which we composed then for the first time and which we observe even to this day along with the rule of Benedict."<sup>2</sup> Bede is more fully conscious of the Benedictine heritage, as his respectful language indicates: "He imitated the miracle of the most reverend and most holy father Benedict."<sup>3</sup> Bede's account

<sup>1</sup> Cambridge, 1940.  
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<sup>2</sup> *Vita Anonyma*, iii, 1.  
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<sup>3</sup> *Vita prosa*, c. xiv.  
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is a beautiful piece of historical writing and arrangement, but it is sometimes pleasant to leave behind his more ample and leisurely literary style for the more rustic directness of the monk of Lindisfarne, so much an echo of the saint in his own surroundings. Typical of the differences between the two authors is the way in which Bede omits the familiar touches, the proper names of persons and places, which are so much a part of the Lindisfarne narrative. We are, however, indebted to Bede for the addition of one place-name—Derwentwater, as the home of the hermit, St. Herbert; and he does add some local colour by describing the hostile attitude of some Northumbrian folk to the newly-planted Christian faith.<sup>1</sup> His chief addition to the Lindisfarne narrative is his long account of St. Cuthbert's death, as well as some valuable details about his last years.

The present edition confirms what has long been known to hagiographers, namely the extensive influence on early Lives of the saints of St. Athanasius' *Life of Anthony*, rendered into Latin by Evagrius, and of the *Life of St. Martin* by Sulpicius Severus. These two writings seem to have established a canon of hagiography, which influenced Western Europe for many centuries. Thus the first two chapters in the Lindisfarne narrative are a series of borrowings from Victorius of Aquitaine, Evagrius, and Sulpicius Severus, not one word being original except the proper names. No doubt the author, before beginning to write his Proper Office, wished to show how his saint fitted into the Common of Confessors.

We can readily follow Mr. Colgrave when he is able to find us an ancient reading which the Lindisfarne monk has borrowed, probably as much out of respect for an old tradition as out of convenience. We are no more surprised at that than when we hear of St. Wilfrid dismantling the ruined masonry of a Roman camp to build his church at Hexham. But the author is perhaps too much inclined to find in literary references an explanation of the miraculous in the old narrative. For instance, it is related that when Cuthbert was a boy and performing athletic feats in the fields in company with others, he was rebuked by a child who prophesied his future. Colgrave writes: "The early prophecy of how a saintly child is in due course to become a bishop is fairly common in hagiographical writings"; and a few examples are quoted. So far so good, but we see the implication more clearly when reference is made to angelic ministrations: "Angels play an important part in the life of Cuthbert. He saw angels taking the soul of Aidan and of Hadwald to heaven (i, 5; iv, 10); he received an angel into the monastery at Ripon and was fed with angelic food (ii, 2); he was assisted to build his hut on Farne by angels, and they ministered to him during his last days on Farne Island. Plummer points out that in the Irish legends it is clear that angels have taken the place of the fairies of the older religion. It may be true to a lesser extent in the English lives, though the literary influences are probably enough to account for most of the stories of angelic ministrations."<sup>2</sup> This is where the literary critic tends to oust the historian;

<sup>1</sup> C. iii.

<sup>2</sup> P. 312.

in a repetitive world we expect to find similar accounts of similar incidents, but that does not justify the historian in pronouncing an unfavourable judgement, unless he rejects *a priori* all accounts of the supernatural. The historian is on much surer ground when he points out that in St. Cuthbert's day Scripture names seem to have been sparingly used in the north, with the only exception of John.

A strict examination of the evidence in the *Lives* shows that Farne island, the place of St. Cuthbert's retreat and death, was first used as a hermitage by St. Aidan, although, until St. Cuthbert, nobody could remain there without diabolical interference. It is interesting to note that such of St. Aidan's relics as were not taken to Ireland in the seventh century were eventually taken with St. Cuthbert's body to Durham; whatever be the last resting place of St. Cuthbert, it is probable that St. Aidan's bones rest in the traditional tomb of Cuthbert. Colgrave accepts the generally accepted view of St. Aidan's gentle Irish nature: "Bede speaks in the highest terms of Aidan's beauty of person and character and of his wonderful humility." It is a pity that more is not made of the fact that in the days of faith the Irish people gave one of their most attractive saints to be an apostle in England.<sup>1</sup>

A more accurate reading of the old texts informs us that Cuthbert in his youth was on a journey through the waste lands of North Durham near Chester-le-Street, probably following the Roman road. We find him travelling on horseback and carrying a spear, circumstances which would seem to indicate a certain rank and the performance of military service. But the facts about the saint's youth are fragmentary, and it seems probable that he was reared as an orphan by a foster-mother, Kenswith, who survived him as a nun and holy widow, and to whom he was always devoted.

Although the exact date of St. Cuthbert's death, 20 March, 687, has always been known, there is no clear indication of his age because of the absence of a recorded date of birth. He entered the monastery of Melrose as a young man in 651, after the death of St. Aidan, but his age at that time is uncertain. Mgr. Eyre suggested that he was only fifteen at the time. Colgrave argues that he would be in fosterage until the age of seventeen, basing his assertion on Irish custom. So he suggests 634 for Cuthbert's birth. "It could hardly have been later, as he had seen some military service before he entered the monastery. . . . It may possibly have been a year or two earlier." There is indeed every possibility that his birth was even three or four years earlier, because, since St. Bede's *Life* of the saint took precedence over the Lindisfarne narrative, not enough notice has been taken of the concluding lines of the first book in that narrative, probably because it begins with the unpromising statement: *Cetera vero opera iuventutis silentio pretereo*. He goes on to apologize for omitting an account of the saint's military service: *Omitto namque quomodo in castris contra hostem cum*

<sup>1</sup> Incidentally, the Lindisfarne *Life of Cuthbert* is our only direct link with St. Aidan—it refers to him as *sanctus episcopus mster*, i, 5.

*exercitu sedens.* This is the only reference we have to the saint's period of military service. Following the example of St. Bede, historians often overlook it. Yet it is most important for determining his age and early career. He would hardly be a mere boy when travelling alone on horseback, "coming from the south to a river which is called the Wear",<sup>1</sup> a hundred miles from his home, or when confronting the enemy forces. The fact has not been missed by one of the most careful students of this period, R. H. Hodgkin in his *History of the Anglo-Saxons*, who writes: "We see him first as a shepherd-boy among the rounded hills where the waters of the Tweed and its tributaries take their rise—a country of great lonely tracts of grass-land and heather. Though of peasant origin (unlike most of the other saints), he none the less served as a young man in the ranks of some war-band, until he turned in disgust from the old heathen ideal of war service to the new ideal of Christian sacrifice which was being preached by the followers of Saint Aidan."<sup>2</sup>

I suggest that we have two clues for determining the nature of the saint's military service; the first is the date of his entry into the monastery, 651, and the second is his journey on horseback from south of the Wear. According to the *Ecclesiastical History*, in the year 651 Oswy, King of Bernicia, marched against an army of Oswin, King of Deira, and the two forces faced one another without fighting, some miles from Catterick. Now Cuthbert was a subject of King Oswy and so would have gone south with his army. The saintly Oswin was murdered in August that year, and eleven days after died his friend and admirer Bishop Aidan. Now Aidan's death has always been associated with the conversion of St. Cuthbert, and we may well believe that he shared that saint's distress at the undeserved fate of Oswin, a noble-minded Christian prince, and that, as Hodgkin says above, "he turned in disgust" from war and worldly intrigues, and set out for Melrose to become a monk. Thus the political background of his day confirms not only the facts but also the chronology of the saint's life as we know it. The date of his birth would be from 631 to 634, earlier than generally supposed.

St. Cuthbert's attitude to women, as Colgrave points out from the evidence of the two lives, is always marked by consideration and kindness. He is recorded as visiting St. Aebbe or Ebba, sister of St. Oswald, at her monastery by St. Abb's head (where he stood immersed in the sea under cover of darkness). "He is deeply devoted to his foster-mother Kenswith, he visits Aelfflæd twice and answers her questions, he is on friendly terms with Iurminburg, wife of Ecgrifith, he stays at the monastery of the Abbess Verca and receives from her a linen cloth in which he is wrapped after his death. The position of women generally was high in Anglo-Saxon times, as the appointment of a woman over the double monasteries shows. . . . But when the Normans came over and the Continental belief in the inferiority and impurity of women was introduced, this fear and dislike of

<sup>1</sup> *Vita Anonyma*, i, 6.

<sup>2</sup> i, 336, Oxford, 1939.



women came to be attributed, very unfairly, to the saint, and attempts were made to explain his dislike. . . . In Ireland, though the saints of the primitive period were on friendly terms with women, the Irish saints of the second order (second half of the sixth century) had all the Egyptian dislike of them." He quotes an Irish saint as saying at the sight of a sheep: "In hoc loco, non ero; ubi enim ovis, ibi mulier; ubi mulier, ibi peccatum." We know that Greek monasticism has shown a certain severity towards women, as witness the exclusion of any feminine creature from Mount Athos, but it is uncertain what the author means by the "Continental belief", as there were double monasteries in France, for example at the Plantagenet monastery of Fontevrault, and the Benedictine tradition always carried the memory of St. Benedict's devotion to his sister, St. Scholastica. The Continental society which tolerated the friendly correspondence between Abélard (1079-1142) and Héloïse, after both had entered the religious state, does not seem to share the belief here attributed to it.

The fact that certain passages in the *Lives* are borrowed from other sources does not always reduce their value as an authentic witness of the saint's character and virtues. In one instance a comparison with the *Life of Anthony* by Evagrius brings out a point which might otherwise not be so noticeable. Evagrius says of Anthony that he never burst into laughter, but the Lindisfarne writer omits this phrase and says instead that "at all hours he was happy and joyful".<sup>1</sup> In a similar list of virtues borrowed from Isidore of Seville's *De Ecclesiasticis Officiis*, the Lindisfarne monk inserts this very descriptive phrase: *Memoriam enim pro libris habuit*, showing how the saint could quote from memory when he expounded the sacred Scriptures.<sup>2</sup>

St. Cuthbert's love of birds and beasts is attested by several incidents in the two *Lives* which fit in well with his eremitical life as a shepherd near Melrose, as a lonely horseman in wild country, and as a silent watcher by the sea-shore or on the island of Farne. The tradition of calling the friendly eider-ducks of the Farne islands "St. Cuthbert's ducks" has come down to modern times among the people of Northumberland. Even the rather sceptical Raine wrote in 1828: "It is extremely true that, during the breeding season, the tameness of these peaceable and harmless birds is quite remarkable—nay, it would appear that they have some recollection of Cuthbert and his protecting hand; for, in the summer of the year 1818, I literally saw one of them hatching her eggs in a stone coffin, over-hung with nettles, among the ruins of his mansion."<sup>3</sup> It seems a pity, therefore, that Colgrave dismisses these stories of the saint's friendliness with animals and birds as being in the "Egyptian and Irish tradition". Yet perhaps he does feel that we learn something about the saint from these stories. After noting that St. Cuthbert was provided with food by his horse, how the sea animals at Coldingham ministered to him, how an eagle provided him with food,

<sup>1</sup> *Omni hora hilaris et letus*, iii, 7.

<sup>2</sup> Raine: *St. Cuthbert*, p. 22.

<sup>3</sup> iv, 2.

how the birds departed from his crops at his command, and how the ravens brought him fat for his boots, he remarks that "in every case Cuthbert's attitude towards the animals and birds is uniformly kind and thoughtful". Surely an impartial weighing of the evidence, which is that of first-hand witnesses, must record that the saint probably lived in extraordinary familiarity with the wild creatures of God's creation, and that he had unusual powers over them.

Although the Lindisfarne monk borrows his account of Cuthbert's asceticism from Evagrius, this does not diminish the testimony of his whole way of life, which was always directed more and more strongly to the severe life of a hermit, so much so that the saint renounced his office of bishop in order to live alone on Farne. There are none of the extravagances of the Egyptian monks in Cuthbert's life; the most extreme example is that he would sing the divine praises as he kept vigil by the sea-shore, and that he was seen to wade into the sea up to his waist, and once he was soaked as far as the armpits.<sup>1</sup> In spite of an increasing eremitical austerity as he advanced in years, the saint never became altogether remote from common humanity. Thus St. Bede records that when he was "robust of body and sound in strength and fit for whatever labour he wished to undertake", he would abstain from strong drink but not from food "lest he should become less fit for any necessary work."<sup>2</sup> St. Bede also has an interesting account of how the saint relaxed his austerities on Farne at the time of great festivals, of how some brethren visited him at Christmas and they had "feasting, gladness, and stories (*fabulis*)".<sup>3</sup>

We can agree with the author that St. Cuthbert, like the ascetics of his time, held a strict observance of Sunday and disapproved of travel on that day.<sup>4</sup> But what of the statement that "Cuthbert did not abstain from flesh on Friday"?<sup>5</sup> On the occasion in question the saint had fasted all day, having refused a meal in the morning even though on a journey, for it was a Friday, "a day on which most of the faithful are accustomed to protract their fast until the ninth hour out of reverence for the passion of the Lord".<sup>6</sup> Cuthbert did not break his fast until the evening had come, and would not this be in accordance with the old ecclesiastical usage of reckoning the liturgical day from evening to evening, or as we would say from First Vespers to Second Vespers?

Colgrave accepts the traditional view, based on St. Bede's *Ecclesiastical History*, that Cuthbert was elected in 684 to be Bishop of Hexham and that he never took possession of that see, but was allowed to exchange Hexham for Lindisfarne, his old superior, Bishop Eata, being agreeable to accept Hexham so that Cuthbert might not be separated from his beloved Lindisfarne. Cuthbert was consecrated at York at Eastertide, 685.

The Lindisfarne narrative states simply: "So afterwards he was elected to the bishopric of our church at Lindisfarne".<sup>7</sup> Bede says the same in his

<sup>1</sup> *Vita Anonyma*, ii, 3.

<sup>2</sup> c. vi

<sup>3</sup> c. xxvii.

<sup>4</sup> c. xxvii.

<sup>5</sup> Colgrave, *op. cit.*, p. 344.

<sup>6</sup> Bede's *Life*, c.v.

<sup>7</sup> *Vita Anonyma*, iv, 1.

*Life*, but in the history there is a slight variant: *Electus est autem primo in episcopatum Hagust-aldensis ecclesiae pro Tumbercto, qui ab episcopatu fuerat depositus; sed quoniam ipse plus Lindisfarnensi ecclesiae in qua conversatus fuerat, dilexit praefici, placuit, ut Eata reverso ad sedem ecclesiae Hagustaldensis, cui regendo primo fuerat ordinatus, Cudbert ecclesiae Lindisfarnensis gubernacula susciperet*.<sup>1</sup> If this were the only evidence, it would be possible to accept the ordinary version that St. Cuthbert did not rule the Hexham diocese, but there are some passages in the *Lives* which suggest that the saint was in possession of the Hexham see for a period after his consecration in the spring of 685. First, in the *Lindisfarne Life* there is the following: "At a certain time the holy bishop, setting out from Hexham, was going to the city which is called Carlisle, but a halt was called in the midst of the journey at a place called Ahse. For, as the people had gathered together from the hills, he imposed hands on the head of each one, and anointing them with the consecrated oil he blessed them, and remained there for two days preaching the word of God."<sup>2</sup> Could there be clearer evidence that the saint was acting as a bishop in his own diocese, confirming the people and performing the apostolic ministry of preaching God's word? This would probably take place in May, 685, as we know that St. Cuthbert was in Carlisle when King Ecgfrith was slain in battle at that time, and that he foretold the King's death to the queen, who was then in Carlisle. Both the *Lindisfarne* monk and Bede agree that the saint had gone to Carlisle for the purpose of seeing the queen, and that while admiring a fountain of Roman workmanship in the city he had his insight of the king's death. However, although the *Lindisfarne* narrative includes in this visit to Carlisle the saint's interview with the anchorite Herbert from Derwentwater, Bede says that "not long afterwards the same servant of the Lord, Cuthbert, came by invitation to that same city of Carlisle in order that he might ordain some priests there, and might also confer upon the queen herself the garb of the consecrated life",<sup>3</sup> and the anchorite visited him on this occasion. Here again we have an example of the saint performing his episcopal functions in territory which would be included in the Hexham diocese. Whatever be the exact explanation of these facts, there can be no doubt that the saint spent the first months of his episcopate in the Hexham diocese. It may be that the saint was asked to perform such duties in Hexham as had been made necessary by the deposition of the previous bishop, and to remain in charge until Bishop Eata had made all arrangements for relinquishing the see of Lindisfarne in Cuthbert's favour. Weakness and old age in Eata—he only lived a few months longer—may be another reason for Cuthbert's presence here.

There are yet other indications that the saint had some link with the Hexham diocese, namely the account by the *Lindisfarne* monk of a visit to him by Aelfled, Abbess of Whitby, "at a place in his diocese called Osingadun".<sup>4</sup> As there is every likelihood of a misreading here for Ofinga-

<sup>1</sup> *Hist. Eccl.*, iv, 26.

<sup>2</sup> *Vita Anonyma*, iv, 5.

<sup>3</sup> Bede's *Life*, c. xxviii

<sup>4</sup> *Vita Anonyma*, iv, 10.

dun, seeing that the same writer has the river Teviot as *Tesgeta* instead of *Tefgeta*, it is possible to identify this place as the modern Ovingham, which is ten miles or so below Hexham on the river Tyne. The church at Ovingham has some Anglo-Saxon work, so that such a connection is made the more probable. Such an identification would be another link between the saint and Hexham.

A last testimony that may be quoted is the remarkable and beautiful set of medieval paintings still preserved in the choir of Hexham Abbey. It is a pity that the remoteness of the place even in these days has prevented these paintings from receiving the appreciation they merit. They are of great interest to the historian of St. Cuthbert because they depict him along with six other saintly bishops of Hexham, namely Alchmund, Eata, Wilfrid, John of Beverley, Acca, and Frethbert. So it may be said that medieval piety claimed the saint of Lindisfarne as one of the seven saints of Hexham, and not without some justification.

As is well known, much has been made in the past of the saint's incorrupt remains and their present resting place. Colgrave suggests on the one hand that an undecayed body is a fairly common phenomenon—"in the *Acta Sanctorum* it is recorded of a very large number of saints and martyrs"—and yet on the other hand seems to accept as a fact the finding of the saint's remains in 1827 and 1899 in the form of a decayed skeleton—"When St. Cuthbert's tomb was opened in 1899 and the contents examined, it was found that the bones of the sternum and clavicle showed extensive signs of disease." Yet he admits that there is another tradition: "The incorrupt body still remains, it is asserted, in a secret place in the Cathedral known only to three Benedictines."

The secret Benedictine tradition, whether it be limited to three or not, is the only obstacle of major importance to the claim made by Raine in 1827 that he had discovered the saint's body. The existence of this tradition does, however, give an added interest and importance to many other facts, but the examination of these, and a reasoned statement of our knowledge on the subject, must be left to another occasion, for the unravelling of the many and intricate mysteries involved would make quite a long tale.

C. A. BOLTON.

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(*Sacerdos*) sit necesse est cogitatione mundus, actione praecepius, discretus in silentio, utilis in verbo, singulis compassione proximus, prae cunctis contemplatione suspensus, bene agentibus per humilitatem socius, contra delinquentium vitia per zelum justitiae erectus, interiorum curam in exteriorum occupatione non minuens, exteriorum providentiam in interiorum sollicitudine non relinquens. (St. Greg., *Pastor.*, II, 1.)

## THE CANONICAL STATUS OF CATHOLIC SOCIETIES

IN these days of intense social activity on every plane, natural and supernatural, it is inevitable that the pastoral clergy should be brought into frequent contact with one or other of the multitudinous societies, mainly alphabetical, which, like themselves, seek in varying ways to promote the glory of God. And to judge by the enquiries which one receives, there are few priests who, at one time or another, are not concerned to determine precisely how they, as representatives of the wider ecclesiastical authority, stand in relation to such societies. The majority, we have reason to believe, succeed in smoothing out or evading these problems of jurisdiction by tactful diplomacy, a valuable asset which no amount of exact canonical science can altogether replace. But not all priests are diplomatic, and in any case it is as well that their handling of such problems should be based on a correct appreciation of the canonical status of the society with which they have to deal. The purpose of this article is simply to provide the necessary criteria.

First of all, then, we must demolish the tidy but entirely unwarranted assumption (occasionally encountered even among those who are prudent enough not to act upon it) that the Church is a totalitarian structure, analogous to the modern totalitarian State, into which any corporation or society with "Catholic" in its title, or with Catholics for its members, must be neatly fitted as a hierarchically subordinated part. The Church is authoritarian, certainly, but she is not totalitarian. She stands for discipline and for absolute uniformity in the matter of revealed doctrine, but not for a universal and regimented uniformity of practice; hers, indeed, as far as we know, is the only code of modern legislation which allows legitimate contrary custom, even local contrary custom, to acquire the force of law. With a wise and increasingly uncommon respect for the liberty of the individual human person, she asserts her authority only in the measure necessary to her God-given end. In particular (and here she parts company with at least one of the modern "liberty-loving" States), she admits the right of her subjects to form associations for legitimate objects, pious as well as profane, not only within her hierarchical framework, but outside and independently of it.

From the canonical point of view, therefore, Catholic societies, even those whose membership is exclusively Catholic, or even clerical, and whose aim is wholly pious, fall into two very distinct categories, the *ecclesiastical*, which have official recognition in the Church and are directly subject to ecclesiastical government and control, and the *non-ecclesiastical*, which are at most unofficially recognized and retain their essential independence. It is to be noted that this important distinction is based, not on considerations of membership or object, but on a juridical fact. Those and only those associations are reckoned ecclesiastical, to which the competent authority has, by a formal act, given *esse ecclesiasticum*, either by erecting them as moral persons

in the Church, or by approving them in such manner as to adopt them within the hierarchical framework of the Church.<sup>1</sup> All the rest, no matter how warmly they may have been commended by Popes and Bishops, or how closely they may be linked with Catholic life, are non-ecclesiastical, or, as they are sometimes less exactly called, "piae laicales".

Of the two above-mentioned ways of obtaining ecclesiastical status, the first, formal erection by and in the Church, is a well defined and easily recognizable juridical act. It requires a formal decree of the legitimate ecclesiastical superior, and its effect is to constitute the society as a moral person in the Church, with appropriate rights and duties analogous to those which the individual Christian acquires in the Church at Baptism.<sup>2</sup>

The other method mentioned in canon 686, §1, which we may describe as adoptive approbation, is, unfortunately, as hesitantly interpreted by authors as it is hazily defined by the Code.<sup>3</sup> Its general effects, however, are not difficult to deduce. Unlike formal erection, it does not give a society the status of a moral person in the Church<sup>4</sup>; and yet it certainly gives it some form of *esse ecclesiasticum*, because, equally with erection, it makes it "an association in the Church", directly subject to ecclesiastical government and control.<sup>5</sup> It is perhaps best described, therefore, as a formal acknowledgement by the Church of the collective personality which the society already enjoys in the nature of things, an acknowledgement which, without superadding canonical personality, brings the society under the wing of the Church.<sup>6</sup>

As a result of this haziness in definition, the fact of ecclesiastical recognition *per modum approbationis* is much less easy to establish than the fact of recognition *per modum erectionis*. Once a society is known to have been erected as a moral person in the Church, either by common law, or by special decree, its ecclesiastical status is beyond doubt. But the meaning and effect of ecclesiastical approbation depend, in the nature of things, on the intention with which the society seeks the patronage of the Church, and on the intention with which such patronage is accorded. Intentions being seldom explicit, it is not always easy to decide whether the patronage which

<sup>1</sup> Canon 686, §1.

<sup>2</sup> Canon 687. This is the only form of ecclesiastical recognition proper to Third Orders (c. 703), and to organically constituted confraternities (c. 708). For a specimen decree of erection, *vide* Gougnard, *Tractatus de Indulgentiis*, Mechlin, 1933, p. 156.

<sup>3</sup> In canon 684, the Code divides *lawfu* associations (not exhaustively) into those erected and those commended by the Church. In canon 686, §1, it divides *ecclesiastical* associations (exhaustively) into those erected by the Church and those which have at least received her approbation. Some authors, making no distinction between the adoptive approbation of canon 686 and the general commendation of canon 684, speak as though only those societies which the Church erects as moral persons are ecclesiastical. Others, stressing the clear statement of canon 686, §1, that official approbation confers ecclesiastical status, distinguish sharply between approbation and commendation, using the latter term to denote any form of patronage which does not confer ecclesiastical status. We have adopted this latter view.

<sup>4</sup> Canons 687, 708.

<sup>5</sup> Canons 686, §1, 689, 690.

<sup>6</sup> Cf. Conte a Coronata, *Institutiones Iuris Canonici*, Vol. I, n. 667, Turin, 1928, p. 877; and Beste, *Introductio in Codicem*, Collegeville, Minn., 1938, p. 460.



a given society has received is the adoptive approbation of canon 686, §1, which makes it ecclesiastical, or merely that form of general commendation to which the Code refers in canon 684, and which leaves the society non-ecclesiastical and independent. One must avoid being misled by the closeness of the link between the activities of a society and the corporate life of the Church. A society may, like the S.V.P. (which has been authoritatively declared to be non-ecclesiastical), have a pious object, a profoundly religious character and an intimate association with the hierarchy and clergy; but until it seeks and obtains ecclesiastical recognition in either of the ways mentioned in canon 686, §1, namely, formal erection or adoptive approbation, it retains its *esse laicale* and consequently its independence, as a society, from direct control by the ecclesiastical authorities.<sup>1</sup>

Owing to the practical importance of this distinction, it may be helpful to analyse in some detail the *votum consultoris* attached to the now-classical decision concerning the S.V.P.<sup>2</sup> The question was raised by a Bishop of Corrientes, in the Argentine, who, having developed a difference of opinion with the society in his diocese, wanted to know how far he was competent to control its activities.

The consultor begins with an outline of the history of the society, the rapid growth of which soon made it necessary to elaborate an organic constitution and a body of statutes. For these, he points out, the approbation of the ecclesiastical authority was never sought; nor was such approbation regarded as a prerequisite to the erection of the individual conferences, which were formed by private agreement of the faithful and incorporated in the society by an act of its own General Council. It is clear, therefore, that the society not only originated, but has since continued to develop, as a "societas laica, i.e. non ecclesiastica, seu non habens esse ab actu auctoritatis ecclesiasticae".<sup>3</sup>

At the same time, the S.V.P. has never ceased to enjoy the highest measure of ecclesiastical favour and, indeed, of co-operation. Bishops have vied with one another in praising it (no fewer than eighty petitioned the Vatican Council to give it formal commendation), the parochial clergy have everywhere regarded it as a mainstay of their ministry, and the Popes themselves have not only extolled its work, but enriched it with abundant indulgences, granting these favours independently of any act of erection, or approbation by the ecclesiastical authority. Indeed, there is evidence that the Holy See definitely wanted the society to retain its non-ecclesiastical character. Canon

<sup>1</sup> "Difficilius e contra determinari potest in quo differat approbatio a simplici commendatione. Differentia in hoc consistere videtur quod approbatione societas subicitur directe et in omnibus Ecclesiae, et Ecclesia aliquo modo fit responsabilis et tutrix illius societatis, dum simplici commendatione societas in suo esse laicali et naturali remanet." Conte a Coronata, op. cit., p. 879. Cf. Beringer-Steinen, *Les Indulgences*, t. II, n. 19, Paris, 1925, Vol. II, p. 8.

<sup>2</sup> S. Cong. Conc., *Corrientes*, 13 Nov., 1920, A.A.S. XIII, 1921, p. 135.

<sup>3</sup> The term "lay" has no derogatory sense in this connexion, and simply means non-ecclesiastical. Hence, a pious society consisting exclusively of clerics might be canonically a "societas laica".

Ozanam, in his life of his famous brother, tells us that Gregory XVI and Pius IX, in particular, "thought it a good thing that it should take the form of a lay activity, a humble auxiliary of the clergy but not subject to it, and considered that, so constituted, it could render a useful service to the interests of religion". "It was easy to understand," the same author adds, "that the union of spirit would have been immediately broken, if every bishop had organized the conferences of his own diocese and compiled their regulations in the way which he might believe to be most convenient."<sup>1</sup>

On the other hand, the conferences have always, from the first, maintained a very close degree of co-operation with the clergy and the hierarchy. A presidency *honoris causa* is commonly accorded to the Bishop or to one of the clergy, usually the P.P., and there is always a priest to act as spiritual director and ecclesiastical assistant. It is to be noted, however, that this co-operative method of working is not imposed by the ecclesiastical authority as upon a society under its direct control, but freely adopted by the members, with that truly Christian instinct which turns to the Church for aid and direction in all works of Christian charity.

After an exposition of the canon law regarding pious societies,<sup>2</sup> the consultor concludes, therefore, that the S.V.P., notwithstanding its intimate association with the hierarchy and clergy and the high degree of commendation it has received from them, remains a non-ecclesiastical association, to which, in consequence, the canons of the Code, *De fidelium associationibus*, are not directly applicable.

The considerations urged in the above *potum* are, roughly speaking, the criteria by which we must decide, in any given case, whether a Catholic society is to be reckoned ecclesiastical or non-ecclesiastical. Some cases, fortunately, more or less decide themselves. If, as is true of Third Orders and confraternities properly so-called, the society can only come into being as an erected moral person in the Church, or if there is documentary evidence that it has been so erected, its ecclesiastical character is evident. And the same is true if, in order to obtain ecclesiastical recognition, a pious union has presented its statutes to the Holy See or the local Ordinary for examina-

<sup>1</sup> Quoted by the consultor, loc. cit., p. 138.

<sup>2</sup> In this exposition of the law, the consultor seems to adopt the view, mentioned on page 250, note <sup>3</sup>, which treats as ecclesiastical only those societies which have been erected as ecclesiastical moral persons. This simplification evades the admitted difficulty of distinguishing in practice between adoptive approbation and the sort of non-committal commendation given to the S.V.P.; but it is hard to square with canon 686, §1, which expressly couples *approbatio* with *erectio* as a means of obtaining ecclesiastical status, and with canon 708, which declares that whereas confraternities need to be erected as moral persons, *approbatio* is sufficient for Pious Unions. The reference in this latter case is surely to ecclesiastical unions directly subject to the Church. Moreover, the consultor does not seem to be altogether consistent, for, in another paragraph, he describes ecclesiastical associations as those in regard to which the Church intervenes, "eas per suam *approbationem* vel *erectionem* condens, seu esse ecclesiasticum eis tribuens" (loc. cit., p. 139). It must be remembered that the authority of the Holy See is limited to the decision (which, incidentally, is not affected by the point at issue), and does not guarantee the complete exactitude of the *potum consultoris*.

tion and approval, and has received a letter of approbation, the clear purpose of which is to accept responsibility for its collective existence and activity.<sup>1</sup>

But, as we have pointed out above, the purpose of ecclesiastical approbation is not always adoptive. When, for example, the women of Buenos Aires founded S.V.P. conferences and presented their statutes to the Archbishop for approval, he was careful to avoid any formal act of adoptive approbation, pointing out that the society, as non-ecclesiastical, was outside his direct jurisdiction and must therefore be content with his blessing.<sup>2</sup> It is impossible, therefore, to decide *a priori* which of our approved Catholic societies are ecclesiastical and which are not. One must know something of the history of the society, have access to its ecclesiastical documents, and be able to judge their purport. In defect of such precise knowledge, all we would here venture to say is that societies like the C.Y.M.S., the Y.C.W., the K.S.C. and the Catenians are *presumably* in the same category as the S.V.P.

But to decide that a given society is non-ecclesiastical does not in itself solve the problem raised by the Bishop of Corrientes, because the distinction between ecclesiastical and non-ecclesiastical associations is not simply a distinction between those which are subject and those which are not subject to the local Ordinary. A society which, whether of choice or necessity, retains its lay status, retains thereby its native independence from *direct* control by the local Ordinary (and, *a fortiori*, by the P.P.) in respect of its existence, constitution, organization, rules, activities and internal government. Objectively, it is as free to manage its own affairs as is a Catholic cycling club, formed with the pious object of cycling to some country church for Benediction every Sunday evening. But like all other dwellers in the diocese, its members remain subject, singly and collectively, to that general vigilance which canon 336 attributes to the Bishop and which authorizes him to intervene, as occasion may demand, in all matters affecting the purity of faith and morals, the fulfilment of pious wills, the Catholic education of children, and so forth.<sup>3</sup>

If, therefore, a pious but non-ecclesiastical society engages in work which affects the cure of souls, by providing, for example, for the spiritual welfare of seamen or factory workers, the after-care of youths, or the instruction of children or converts, it automatically places itself, to that extent, under the direct control of the Bishop, who is ordinary and immediate pastor of all souls in his diocese and uniquely responsible for their spiritual

<sup>1</sup> For a sample decree of adoptive approbation, *vide* Gougnard, *op. cit.*, p. 156.

<sup>2</sup> "Imploratam benedictionem libentissime concedimus, cum non possit non esse utilissimum opus tantae caritatis christianae. Cum tamen tale institutum non sit dependens a nostra auctoritate, non praetendimus illud gubernare." Quoted in the *votum*, *loc. cit.*, p. 143.

<sup>3</sup> The Congregation of the Council, keeping strictly to the question asked by the Bishop of Corrientes, phrased its answer in these general terms: "In the case, the Ordinary has the right and duty of vigilance over the said society, and to take care that nothing is attempted in it contrary to faith and custom (*il costume*), and if ever abuses should arise, to correct and repress them." *Loc. cit.*, p. 144.

care.<sup>1</sup> Similarly, whenever such a society receives a pious donation, legacy, or bequest (i.e. any disposition of money or property made in furtherance of a work of supernatural charity), it must render an account of its stewardship to the local Ordinary, who is *executor natus* of all such pious dispositions and has the right and duty to ensure, even by visitation, that they are fulfilled.<sup>2</sup>

It follows that, given the spirit of filial loyalty which normally animates our Catholic societies, non-ecclesiastical as well as ecclesiastical, there is really no canonical ground for friction between them and the ecclesiastical authority. Canon Law has made adequate provision for ordered discipline, without resorting, like some modern States, to the method of totalitarian uniformity. It respects the natural right of the Church's subjects to form free associations which, without prejudice to her sovereignty, remain outside her hierarchical framework; and, at the same time, it ensures to the Bishop (and to the P.P. in dependence on his Bishop) all the authority he needs for the proper fulfilment of his divinely allotted mission. It would be a better world, if, instead of prating about "liberty-loving peoples", all civil authorities would follow suit.

LAWRENCE L. McREAVY.

### THE SILENT SCHOLAR

THE death of Dom Henri Leclercq at the age of 76 marks the passing of a great—a very great—scholar, who bestrode the wide world of historical learning like a Colossus. We shall not look upon his like again.

An *érudit* and a *savant* in the authentic line of Baronius, the Maurists, Du Cange, De Rossi, Görres, Pastor and Duchesne, he had the advantage of them all, for he was free of the handicaps of the pioneer, untrammelled by exigencies of apologetic, heir to a rich harvest of sources and to the tradition of critical apparatus that has grown up with them.

In method he had much of the synoptic ability and orderliness of the seventeenth-century layman, Du Cange. His independence of mind and critical acumen made him akin to Duchesne and Delehaye. Like Pastor on an entirely different plane of research, he set himself a task so vast, that though he completed the groundwork he never saw it all in the finality of print,

"This high man, with a great thing to pursue,  
Dies ere he knows it. . . ."

The chief criticism of Leclercq will be, not of the work he left, but of the fact that he left no trained successor. Other great scholars, especially

<sup>1</sup> Canon 334.

<sup>2</sup> Canon 1515.

those who like himself belonged to a scholarly religious order, were the inspiring leaders of a brilliant group of collaborators—Mabillon of the seventeenth-century Maurists, Delehaye of the present-day Bollandists. But apart from his long association with Abbot Cabrol, which broke up at the latter's death, Leclercq ploughed a lone furrow and of late years became more than ever a solitary figure, concentrating all the powerful energy of his mind and body on the completion of his Dictionary (we should call it an Encyclopedia) of Christian Archaeology and Liturgy. To this end, already taciturn of temperament, he further cultivated the habit of silence and refused to speak English. It was his protective shield against intrusion on his task. Yet, in rare moments of relaxation, he would talk "shop" with mordant wit and, like the late G. K. Chesterton whom he resembled in bulk, he has been known to pause in a spate of words and sit down suddenly with devastating effect on a favourite armchair.

Mabillon's thirst for "sources" led him to expend a measure of physical energy on his "literary" journeys and to dissipate much mental vigour on the distractions of controversy with, among others, the famous De Rancé, the Thundering Abbot of La Trappe.

Leclercq's abilities might have been short-circuited in the same way but for the tolerant wisdom of his superiors, who allowed him to take a light charge away from his monastery and so spend every available moment at the British Museum, where the world's richest library was able to satisfy the exacting demands of his scholarship.

There, day by day, year in and year out, he awaited the opening of the outer gates, his ample figure clad invariably in a Prince Albert, surmounted by a top hat of long service. Later in the day, he could be seen in the massive round Reading Room, occupying the place that became his by prescriptive right. Flanked on either side by high stacks of weighty tomes, on one of which perched the famous silk hat, his head would be bent low over his manuscript. Once I saw him leaning back in his chair, hands clasped over waistcoat, snoozing gently! It was after this Homeric nodding that I asked him if there were any chance of his giving a lecture to the Wonders students. He refused with grave courtesy. "I *must* finish my Dictionary before I die," he said. He was then up to the letter M.

Of latter years it had become exclusively his work, and an *a priori* judgement would have to say that no one man could produce a learned encyclopedia of lasting value. Dom Leclercq was the exception. Possessing Carlyle's first requirement for genius, namely, a transcendent capacity for taking trouble, he was able to get through an incredible amount of solid reading, which his prismatic mind contracted and diffused into the innumerable articles, masterly in their lucidity, fully annotated and illustrated, that form his maximum opus. There is a vast erudition, a *mine de renseignements*, awaiting the student amid the fascicules of the Dictionnaire that often stay so long uncut on library shelves.

Nor was this all he accomplished. As if to confound the critics who said

that such a task was too great even for one who was acknowledged forty years ago as a leading authority on archaeology, Dom Leclercq wrote monographs on Christianity in Spain and Africa, on his own Benedictine Order, a Life of our Lord, a two-volume manual of Christian Archaeology, four volumes of *Monumenta Ecclesiae Liturgica*, fifteen volumes on the Martyrs, and by his annotated French translation (in 16 volumes) of the second edition of Bishop Hefele's classic *History of the Church Councils*, he produced practically a new work. Finally, his *Decline and Fall of the French Monarchy* is a history of Gibbonian proportions, several volumes of which have been awarded prizes by the Académie Française.

The catalogue is unending. Tucked away in the sixth of those seven invaluable tomes on European Civilization, edited by the late Edward Eyre, is an "essay" of 717 pages by Dom Leclercq—a Chronicle of Social and Political Events from 1640 to 1914. His last paragraph, an indictment of those unrevealed and unratified agreements that politicians still love to make among themselves, could be read and re-read with profit by the statesmen of today:

"Secret diplomacy, engagements between nations concealed by dexterous playing with the limits of truth and falsehood, are baneful features in the record of both the Triple Alliance and the Triple Entente. The war was prolonged by a series of secret treaties. It was this evil element in the policy of the time that wrecked the effort for peace in 1917, and made the Treaty of Versailles no permanent act of peace but the sowing of the dragon's teeth of further strife. The Covenant of the League of Nations included a well-meant attempt to end the evil system of secret treaties, by providing that all treaties between members of the League should be openly registered at Geneva. But this safeguard can still be evaded by concealing international agreements that may involve war, in the guise not of 'treaties' but of 'honourable understandings'. A real step towards ensuring the peoples from being hurried into needless wars for purposes of which they know little or nothing would be taken if it were generally recognised that, just as it is a dishonest and criminal act for an agent in mere business affairs to expose his principal to ruinous loss by engagements made in his name but without his knowledge, so it is a thousandfold greater crime for a government, or members of a government, acting in the name of a nation that makes any pretence to be a free people, to pledge them to engagements of which they know nothing, but which may entail the loss of hundreds of thousands of lives and, long after, years of misery and ruin."

These pregnant words were penned years before the present war and reveal the writer as no mere dry-as-dust specialist in archaeology and liturgy, but a man of shrewd practical judgement, who knew his history well enough to realize that it will, unfortunately, keep repeating itself.

GORDON ALBION.



## THE HOMILIES OF THE ROMAN BREVIARY

## VII. ST. JEROME

WE have chosen to write of St. Jerome in the month of June, since the Church has chosen him as her homilist for the feast of SS. Peter and Paul. It is as if the Roman Church still remembered her disappointed papal secretary of the fourth century and, passing over the claims even of the Roman Pope and Doctor St. Gregory the Great, has selected St. Jerome for the honour of panegyriizing her apostolic founders. It is a handsome compliment for which St. Jerome, if he still retains anything of his earthly idiosyncrasies, must feel immensely flattered. When reading each year his lessons in the Breviary we seem still to hear the accents of the hermit of Chalcis addressing Pope St. Damasus in 378: "While I follow in the first place only Christ, I keep in communion with Your Holiness, i.e. with the See of Peter. I know that upon this rock the Church is established . . . He that cleaveth to the Chair of Peter, he is mine."<sup>1</sup>

To write about St. Jerome and St. Jerome's literary work is no easy task. The first difficulty is the personal character of the man. It is said that Pope St. Pius V, when engaged in the revision of the Martyrology, exclaimed when he came to the name of St. Jerome: "*Hieronymus, Hieronymus, sanctus non esses si nunc esses canonizandus.*" A cursory reader of St. Jerome is inclined to endorse this verdict, for the Saint's writings do not always give the impression of saintliness. In preparing this paper the present writer re-read several patrological works dealing with St. Jerome and, out of curiosity, made a list of the derogatory expressions used by only five<sup>2</sup> of the authors in question to describe the character of the redoubtable Doctor. Here they are: ardent, vain, virulent, vehement, violent, irascible, vindictive, resentful, passionate, temperamental, extremely sensitive, suspicious everywhere of enemies and of plots against himself, childishly susceptible to praise and to criticism, too sensitive to the pangs of jealousy apparently with no power of resistance, given to exaggeration, fond of satire and of sarcasm, indulging in coarse personalities. And again: he wielded a biting pen, his enemies had cause to fear his passion; and, whoever happened to be his enemy at the moment of writing was the very worst of all men.

And yet, side by side with these shortcomings, which are too glaring to be glossed over or explained away, there is in Jerome's writings abundant evidence of his deep self-depreciation, of his intense love of honesty and of truth, and especially of his all-pervading loyalty to the service of Christ and of the Church. He certainly was incapable of sympathy with teachers of false doctrine. Much of what he wrote has to be read in the light of the sentence which he penned shortly before his death: "I have never spared heretics."<sup>3</sup>

<sup>1</sup> Ep. 15 (alias 57), ad Damasum.

<sup>2</sup> The five books are: Basilius Steidle, O.S.B., *Patrologia*, Friburgi Brisgoviae, 1937, pp. 160-161; F. Cayré, A. A., *Précis de Patrologie*, T. 1, Paris, 1927, pp. 555-578; Abbé Bardy, *The Christian Latin Literature of the First Six Centuries*, London, 1930, pp. 99-110; O. Bardenheuer, *Patrology*, Freiburg im Breigau, 1908, pp. 455-473; E. L. Cutts, *Saint Jerome*, London.

<sup>3</sup> *Dial. contra Pel., praefatio.*

However, if it is true that he was swift to anger, it is also true that he was as swift to remorse. Moreover, it is mainly these characteristics of passionate ardour and tempestuous forthrightness which render his style bold, vigorous, robust and colourful—a delight to those who love a pure, incisive, powerful Latin prose.

St. Jerome's life perfectly qualified him for the literary tasks which occupied, for the most part, the years of his maturity. The chronology of his career is as follows:

- c. 340—Born at Stridon, a frontier town of Dalmatia and Pannonia.
- c. 360—Student at Rome.
  - Baptized by Pope Liberius (352–366).
  - Travels to Trier.
  - Resides at Aquileia with a group of clerics, living a semi-monastic life.
  - Journeys to the East—Thrace, Bithynia, Pontus, Galatia, Cappadocia, Cilicia.
- 373—Arrives at Antioch in Syria, and settles as a hermit in the desert of Chalcis.
- c. 374—Disciple of Apollinaris at Antioch.
  - While in the desert, learns Hebrew as a penitential exercise.
- c. 378—Letter to Pope Damasus on the *Tres Hypostases*.
- 379—Ordained priest at Antioch for no fixed diocese.
- 379–381—Under St. Gregory of Nazianzos at Constantinople.
- 382—At Rome: secretary to Pope St. Damasus (366–384).
- 384—Pope Damasus dies: 10 December.
- 385—Leaves Rome (in August) and arrives at Antioch in the early winter.
- 385–386—Accompanied by St. Paula and her daughter St. Eustochium, St. Jerome travels through Palestine and then to Alexandria and the Nitrian hills to visit the monks and hermits of Egypt.
- 386—Back to the Holy Land. (Autumn).
  - He settles at Bethlehem and eventually undertakes his great task of translating the Bible into Latin.
- 416—Jerome's monastery sacked by Pelagians.
- 420—Jerome dies at Bethlehem.

As may be seen from this sketch, St. Jerome's years of manhood may be divided into two main periods: (i) from 360 to 386, when he is continually on the move, not staying more than four years in one place; and (ii) from 386 to 420, the year of his death: during this latter period he never leaves Bethlehem. It is important to realize how travelled a man the Saint was before he settled in Palestine and how cosmopolitan an outlook he could bring to the discussion of biblical, theological and historical problems. His taste for classical literature should also be noted, since it explains the elegance and beauty of his style. Virgil indeed was his "patron saint" before he gave himself up to the Bible:

*Se totum versibus  
dicat Virgilii;  
ipsum verberibus  
flagellant Angeli;  
ex tunc immergitur  
Scripturae paginis.*

Another point which needs emphasis is that, except when he is translating, Jerome never for one moment ceases to be personal and controversial, in letters, in commentaries, in treatises, in historical narratives. Sometimes his opponents are pagans: Celsus, Porphyrius, Julian the Apostate—*Rabidi adversus Christum canes*, as he styles them; at other times they are heretics; Helvidius, Jovinian, Vigilantius (whom he calls *Dormitanti*), Pelagius; or again, they are Catholics, whom he dubs heretics; Lucifer of Cagliari, John, Bishop of Jerusalem, Rufinus—even St. Augustine was on the point of being included among these; or, finally, Jerome writes against imaginary heretics with equal vehemence and shattering invective.

*Hunc totum indoles  
agitat bellica;  
pugnator impiger  
arguit, increpat;  
pro Christo millies  
acriter dimicat.*

The Church has selected thirty-eight passages from St. Jerome's writings for liturgical reading at Matins.<sup>1</sup> The bulk of these passages are homilies and are more often than not taken from the commentary on the Gospel of St. Matthew. As regards their subject matter the Breviary extracts from St. Jerome fall into three groups: (i) The biographical sketches taken, with one or two exceptions, from the *De Viris Illustribus*; (ii) the passages which comment on the letter of the New Testament narrative; they deal mainly with grammatical, topographical or historical points; (iii) those which are fully ascetical or doctrinal in character.

(i) To the first group belong the historical lessons of the Second Nocturn of the feasts of St. John the Evangelist, 27 Dec.; of St. Polycarp, 26 Jan. (first lesson); of St. Ignatius Martyr, 1 Feb.; of St. Mark, 25 April (first two lessons); of St. John before the Latin Gate, 6 May (from the book *Contra Jovinianum*); and of St. Cyprian, 16 Sept. (sixth lesson).

(ii) In the second group we find St. Jerome discussing with meticulous accuracy points of grammar, or of geographical or historical interest. For example:<sup>2</sup>

Non ergo, ut plerique Latinorum putant, jungendum est et legendum, Volo mundare; sed separatim, ut primum dicat, Volo; deinde imperet, Mundare.

Therefore, these words are not, as many Latins think, to be joined together and read: I wish to cleanse; but they are to be read separately; first the Lord says: I will; then He commands: Be thou cleansed.

Or:<sup>3</sup>

Mammona igitur non Hebraeorum sed Syrorum lingua divitiarum nuncupantur.

Mammon is a Syriac, not a Hebrew, word, which means riches.

<sup>1</sup> Actually the number is forty-two, but three homilies are only repetitions and the lessons of the Second Nocturn of the feast of the Immaculate Conception, given in the Breviary under St. Jerome's name, are, according to modern scholars, the work of a medieval writer.

<sup>2</sup> Third Sunday after the Epiphany, Lesson 8.

<sup>3</sup> Eighth Sunday after Pentecost, Lesson 8.

An example of a topological exegesis may be found in the homily for the feast of the Holy Innocents, 28 Dec. ; and others of a historical character in the homily of the Twenty-fourth Sunday after Pentecost, where St. Jerome explains the meaning of *Abominatio desolationis*, and in the homily on St. Stephen's feast, 26 Dec., where, quite in St. Jerome's manner, the Saint lists several answers to the question:<sup>1</sup>

Querimus quis iste sit Zacharias filius Barachiae,

We ask who is this Zacharias, the son of Barachias,

and solves the difficulty by appealing to the "Gospel used by the Nazarenes".

(iii) One wishes that St. Jerome's passages belonging to the doctrinal group had been more numerous and more representative in character. As it is, there are several which certainly repay re-reading and pondering; for instance, the Saint's inspiring thoughts on the parable of the mustard seed:<sup>2</sup>

Regnum coelorum praedicatio Evangelii est, et notitia Scripturarum . . .

The Kingdom of heaven is the preaching of the Gospel and the knowledge of the Scriptures . . .

Simile est ergo hujuscemodi regnum grano sinapis quod accipiens homo seminavit in agro suo . . .

This Kingdom is like to a grain of mustard-seed which a man took and sowed in his field . . .

Praedicatio Evangelii minima est omnibus disciplinis. Ad primam quippe doctrinam, fidem non habet veritatis, hominem Deum, Christum mortuum, et scandalum crucis praedicans. Confer hujuscemodi doctrinam dogmatibus philosophorum, et libris eorum, et splendori eloquentiae, et compositioni sermonum; et videbis quanto minor sit ceteris seminibus sementis Evangelii.

The preaching of the Gospel is the least of all forms of teaching. He who preaches God made man, Christ dying, and the shame of the cross, can scarcely win credence. Compare this teaching with the tenets of philosophers, with their books, with the splendour of their eloquence, and the style of their sentences, and you will realize that the Gospel seed is indeed the least of all seeds.

Sed illa cum creverint, nihil mordax, nihil vividum, nihil vitale demonstrant; sed totum flaccidum marcidumque et molitum ebullit in olera et in herbas, quae cito arescunt et corrunt. Haec autem praedicatio quae parva videbatur in principio, cum vel in anima credentis, vel in toto mundo sata fuerit, non exurgit in olera, sed crescit in arborem; ita ut volucres coeli (quas vel animas credentium vel fortitudines Dei servitio mancipatas sentire debemus) veniant et habitent in ramis ejus.

But when those other seeds grow into plants they produce no thorns, there is nothing vigorous, nothing living about them; they come up all drooping, fading and weak—herbs and grass which quickly dry up and wither. But this preaching, which seemed so insignificant in the beginning, once sown in the soul of the believer or in the whole world, does not grow up into a herb, but becomes a tree; so that the birds of heaven (by which we must understand the souls of the faithful or the heavenly powers devoted to the service of God) come and dwell in its branches.

There is always something autobiographical in St. Jerome's writings. In the foregoing passage he refers in a veiled way to his own former taste for

<sup>1</sup> Lesson 8.

<sup>2</sup> Sixth Sunday after the Epiphany, Lessons 7-9.

pagan authors and to his subsequent renunciation of such studies in favour of the holy scriptures. In the following beautiful passage on the Sunamite, as the type of supernatural wisdom, St. Jerome is obviously giving a picture of his own declining years as a solitary in his monastery of Bethlehem:<sup>1</sup>

Omnes pene virtutes corporis mutantur in senibus, et crescente sola sapientia, decrescunt caetera; jejunia, vigiliae, chaumeniae (id est, super pavimentum dormitiones), huc illucque discursus, peregrinorum susceptio, pauperum defensio, instantia orationum et perseverantia, visitatio languentium, labor manuum unde praebeantur eleemosynae. Et ne sermonem longius protraham, cuncta quae per corpus exercentur, fracto corpore, minora fiunt.

Nec hoc dico, quod in juvenibus et adhuc solidioris aetatis, his dumtaxat, qui labore et ardentissimo studio, vitae quoque sanctimonia, et orationis ad Dominum Jesum frequentia, scientiam consecuti sunt, frigit sapientia, quae in plerisque senibus a tate marcescit; sed quod adolescentia multa corporis bella sustineat, et inter incentiva vitiorum et carnis titillationes, quasi ignis in lignis viridibus suffocetur, ut suum non possit explicare fulgorem. Senectus vero rursus eorum qui adolescentiam suam honestis artibus instruxerunt, et in lege Domini meditati sunt die ac nocte, aetate fir doctior, usu tritior, processu temporis sapientior, et veterum studiorum dulcissimos fructus metit.

There are other passages in the Breviary in which St. Jerome bears witness to several traditional Catholic beliefs. For example when he writes on the Guardian Angels:<sup>2</sup>

Magna dignitas animarum, ut unaquaeque habeat ab ortu nativitatis in custodiam sui Angelum delegatum.

In old age almost all the powers of the body experience a change, and while wisdom alone increases, there is a gradual failure of all other activities: fasting, watching, lying on the ground (that is to say, sleeping on the floor), journeying hither and thither, receiving strangers, defending the poor, vehemence and perseverance in prayer, visiting the sick, manual labour whereby to provide alms. In short, all the activities in which the body has a share, become less frequent when it is enfeebled.

I do not intend to say that wisdom, which often fails even in the old, is wanting in the young and in those of maturer age, least of all in such as have acquired knowledge by hard work and stidly, joined to holiness of life and constant prayer to Our Lord; but this I do say that, what with provocations to vice and the lusts of the flesh, the young have to endure so many struggles with the body, that their wisdom is like a fire smothered with green wood, which hinders it from blazing forth in all its whiteness. But when old age comes upon such as have spent their youth in honourable occupations, and have meditated on the law of the Lord day and night, they become more learned with age, more experienced, wiser as the years go by, and they gather the sweetest fruits from their former diligence.

Great is the dignity of souls, that each should have, from the moment of its birth, an Angel deputed to guard it.

Much more important is St. Jerome's witness to Our Lady's virginity. It was he, more than any other of the Fathers, who passed on to the Western Church of the Middle Ages the fine flower of traditional Catholic Mariology, as it stemmed from both East and West. In his commentary on Isaiah, he explains that verse "And a rod shall rise out of the root of Jesse", as follows:<sup>3</sup>

<sup>1</sup> Seventh Sunday after Pentecost, Lessons 5 and 6.

<sup>2</sup> Feast of St. Michael, 29 Sept., Lesson 9.

<sup>3</sup> Second Sunday of Advent, Lesson 5.

Nos autem virgam de radice Jesse sanctam Mariam Virginem intelligamus, quae nullum habuit sibi fruticem cohaerentem, de qua et supra legimus: Ecce Virgo concipiet et pariet Filium.

As for us, let us understand the rod from the root of Jesse as signifying the holy Virgin Mary, who had no shoot grafted on to her, but of whom we read above: Behold a virgin shall conceive and bear a son.

The Saturday Office in honour of Our Lady has two lessons, those of February and April, taken from St. Jerome. In both passages, the Saint contemplates Our Lady pre-figured in the Old Testament. He writes against Jovinian:<sup>1</sup>

Christus virgo, mater virginis nostri virgo perpetua, mater et virgo . . .

Christ was a virgin, and the Mother of our virgin Lord was ever a virgin, both mother and virgin . . .

Haec est porta orientalis, ut ait Ezechiel, semper clausa et lucida, operiens in se vel ex se proferens Sancta Sanctorum; per quam Sol justitiae et Pontifex noster secundum ordinem Melchisedech ingreditur et egreditur.

This is the Eastern gate, as Ezechiel says, ever closed yet shining, concealing in itself, revealing from itself the Holy of Holies; by this gate the Sun of justice, our High Priest according to the order of Melchisedech, goes in and out.

In his commentary of Ezechiel St. Jerome repeats the same idea:<sup>2</sup>

Pulchre quidam portam clausam per quam solus Dominus Deus Israel ingreditur, et dux cui porta clausa est, Mariam Virginem intelligunt, quae et ante partum et post partum virgo permansit.

It is a beautiful thought by which some understand the closed gate, whereby only the Lord God of Israel, the Leader for whom the gate was closed, makes His entrance, as referring to the Virgin Mary, who remained a Virgin both before and after childbirth.

As when dealing with St. Ambrose and St. Augustine, we offer our readers a few short sentences culled from the Breviary lessons of St. Jerome. They may serve to round off some point with an apposite quotation in sermons or retreats:

De monte Domino descendente, occurrunt turbæ quia ad altiora ascendere non valuerunt.<sup>3</sup>

When the Lord comes down from the mountain crowds of people flock to Him; because they had not been able to follow Him to the heights.

Necdum poterat cum lepra tam multiplicem in monte Salvatoris audire sermonem.<sup>4</sup>

He could not, leper as he was, listen to the series of discourses of the Saviour on the mount.

Et si a via recta paululum declinaveris, non interest utrum ad dexteram vadas an ad sinistram, cum verum iter amiseris.<sup>5</sup>

And if one turns aside ever so little from the straight way, it matters not whether one goes to the right or to the left; one has already lost the way.

<sup>1</sup> Office of Our Lady on Saturday, month of February.

<sup>2</sup> Ibidem, month of April.

<sup>3</sup> Ibidem.

<sup>4</sup> Third Sunday after the Epiphany, Lesson 7.

<sup>5</sup> Friday after Ash Wednesday, Lesson 3.



Quicumque igitur ita facit quodlibet ut videatur ab hominibus, scribe et phariseus est.<sup>1</sup>

Turba ad sublimia sequi non potest, nisi docuerit eam juxta mare in littore et aluerit in deserto.<sup>2</sup>

Formidolosa sententia, si juxta nostram mentem sententia Dei flectitur atque mutatur; si parva fratribus non dimittimus, magna nobis a Deo non dimittitur.<sup>3</sup>

Whosoever, therefore, does anything merely that he may be seen by men, he is a scribe and a Pharisee.

The crowd could not follow to those heights, and so He teaches them by the sea, and feeds them in the wilderness.

A frightening statement, if the judgment of God may be turned away and changed according to our own attitude of mind, so that He will not grant us pardon for great things unless we forgive our brethren in small things.

The following exclamation is characteristic of the Saint. Speaking of the shortcomings of the Scribes and Pharisees as enumerated by Our Lord in the Gospel, St. Jerome cries out:

Vae vobis miseris ad quos Phariseorum vitia transierunt!<sup>4</sup>

Woe unto us, miserable men, to whom the vices of the Pharisees have passed!

When St. Jerome wrote this line, he probably had in mind John, Bishop of Jerusalem, one of his many *bêtes-noires*, whom on another occasion he addressed thus: "You can tread under foot all the canons because all your caprices are rights, all your acts are rules of faith."

However, in spite of many such bitter outbursts and much biting invective, St. Jerome has remained throughout the centuries, and is still today, one of the most widely read and venerated of the Fathers. His passionate words, whether of approbation or condemnation, convey something which appeals intensely to our common humanity. About the influence of his writings there is no possible doubt. The words which his contemporary St. John Cassian wrote at the beginning of the fifth century, can, with equal accuracy, be repeated today: *Hieronymus, Catholicorum magister, cujus scripta per universum mundum quasi divinae lampades rutilant.*<sup>5</sup>

ROMANUS RIOS, O.S.B.

Non omnia possumus omnes. *Alius in ecclesia oculus est, alius lingua, alius manus, alius pes, alius auris, venter et cetera. Lege Pauli ad Corinthios: diversa membra unum corpus efficiunt. Nec rusticus et tantum simplex frater ideo se sanctum putet, si nihil noverit, nec peritus et eloquens in lingua aestimet sanctitatem, multoque melius est e duobus imperfectis rusticitatem sanctam habere quam eloquentiam peccatricem.* (St. Jerome, Ep. LII.)

<sup>1</sup> Tuesday of the Second Week in Lent, Lesson 2.

<sup>2</sup> Octave Day of S.S. Peter and Paul, Lesson 7.

<sup>3</sup> Twenty-first Sunday after Pentecost, Lesson 9.

<sup>4</sup> Tuesday of the Second Week in Lent, Lesson 3.

<sup>5</sup> *De Incarnatione*, 7, 26.

## NOTES ON RECENT WORK

## PHILOSOPHY

NOT long ago Professor Joad published an excellent little exposition of Philosophy for the man in the street.<sup>1</sup> This was a model of what such a work should be with regard to its manner, though no doubt a Catholic philosopher would have some complaints to make of its matter. Anyone who has tried will know how extraordinarily difficult it is to make such a popular account both intelligible and interesting; and Professor Joad has succeeded in both. We have now been given a similar book written from a Thomist point of view; or rather a popular account of some aspects of Thomism.<sup>2</sup> The author's aim is less to explain the nature of Thomist metaphysics and psychology than to find a basis for establishing "the moral quality of what a man does". In other words, his interest centres in Ethics, though as a good Thomist he well knows that Ethics is dependent on Metaphysics. No doubt this is the right approach for a layman's philosophy, since the layman is much more concerned with the practical problems of conduct than with abstruse speculations about the nature of Being. It is nevertheless certain that every system of Ethics rests in the end on a general metaphysical view of the nature of man and the universe.

The present scepticism about moral values which has brought about the disintegration of European civilization is undoubtedly due to the prior scepticism which dominated the universities of Europe from the middle of the nineteenth century. There is a time-lag in these movements between their first acceptance in the centres of learning and their wide diffusion among the populace. Now, however, the scepticism about absolute reality and consequently absolute values, engendered by the teaching of the German Idealists and introduced into Oxford by Jowett and others, has resulted in the decay of certainty among men in general as to the validity of any standard of good and evil. To dissolve this uncertainty and re-establish the truth and imperative character of the moral law is the greatest contribution which philosophy can make at the present time to the good of mankind. As the process of decay has been long, so no doubt will be the process of reconstruction, but all efforts, such as this of Fr. Doolan's, to rebuild are to be welcomed.

One half of his book is devoted to problems directly concerning the moral order, the other half, as he himself says, to "an orderly treatment, as brief as clarity allows, of the fundamental problems of natural philosophy, so as to shew their bearing on our moral life". He begins then with a brief examination of some widespread errors such as the denial of substance and the doctrine of Monism, the confusion of philosophy with science, and finally Transformism, or as he names it, Evolutionism. It needs no great perspicacity to perceive that all these errors stem from a common root; the

<sup>1</sup> *Philosophy*. By C. E. M. Joad. (For the English Universities Press. Hodder and Stoughton. 3s.)

<sup>2</sup> *Philosophy for the Layman*. Fr. Aegidius Doolan, O.P., S.T.M. (Dublin, Irish Rosary Office. 7s. 6d.)

natural desire and tendency of the human mind to reduce the many to the one, which is indeed what we mean by "explanation". This desire is legitimate and indeed necessary, but whereas philosophy till recent times had found the unifying ground and source of the many in one God, with the abolition of God all is thrown into confusion, and some other ground such as matter or force is sought for. When this turns out to be inadequate entire scepticism results. It would seem to be a serious defect of this book that the author has not made any attempt to establish the existence of God, and yet relies upon it for the whole of his argument. The fundamental agnosticism about God has made men of our age sceptical about all else, and consequently many of the arguments and appeals of this book misfire since they take for granted the conviction that there is a God who is the ground and source of all reality. No doubt the book is intended primarily for the Irish Catholic layman, but even he is affected to some extent, perhaps without knowing it, by the miasma of this fundamental scepticism.

A considerable and excellent section of the book is devoted to an examination of the nature of the will and the problem of its freedom. This is very sound and well worked out, though perhaps a little abstract for the average layman; and one would have liked to see some discussion of the question: How, if free-will be self-determination, is the self determined which determines itself?

Such criticisms as these do not detract from the great value of this book, which will, we hope, do much to strengthen conviction of the fundamental truths of Christian philosophy.

It is to be hoped that every encouragement will be given to the Aquinas Society of London in the recent extension of its work by the publication of papers read to it during the past year.<sup>1</sup> The Society has long been doing most valuable work, but with the exception of the late Archbishop of Canterbury's paper its discussions have not, as far as I know, been made available to the general public. There must be many who would profit by them, but who for various reasons are unable to be present at the Society's meetings. The first three papers to be published illustrate the way in which sound philosophical principles can be fruitfully applied to a wide range of problems, theoretical and practical. The first of the series on "The Problem of Christian Humanism", by Dr. D. J. B. Hawkins, breathes the spirit of urbanity which its title suggests, the author being wholeheartedly in favour of the cultivation of the humanities. There is undoubtedly a problem here, of which the attitudes of a St. Anthony of the desert or an Erasmus typify opposing solutions. Dr. Hawkins prefaces his consideration of it with a sketch of secular humanism, so attractively advocated by Pater and Housman. This leads him to the statement of his problem in these terms: "What room is there in the Christian life for the deliberate pursuit of, and satisfaction in, the finite values of the world about us?"

To deal with it he considers it not as an abstract problem *in vacuo*, but as it has been faced in the course of Christian history. The matter was coming to a head in the twelfth century, and here Dr. Hawkins gives us an attractive picture of the attitude of Adelard of Bath, who was without reservation a humanist; and he finds a foundation for a balanced Christian humanism in

<sup>1</sup> *Aquinas Papers*. Nos. 1, 2, 3. (Blackfriars, Oxford. 1s. net each.)

the following century in the doctrine of St. Thomas that "nature awaits grace, and grace presupposes nature". His conclusion is: "When we think of Augustine and Boethius, of Aquinas and the twelfth and thirteenth centuries generally and of the fainter gleam of the early Renaissance, we cannot doubt that a Christian humanism is both practicable and desirable.

In a paper devoted to the consideration of "The Attitude of St. Thomas to Natural Science", Dr. F. Sherwood Taylor acknowledges at the start that Natural Science as we know it today did not exist in the thirteenth century, and, therefore, if we are to consider St. Thomas' attitude with regard to it, it will be necessary to extract from his teaching those principles which are applicable to the experimental science of the present age. This task has already been performed by Maritain in his "Degrees of Knowledge", and Dr. Sherwood Taylor is more concerned to tell us of the description of the physical world which is to be found in St. Thomas' commentaries on Aristotle. It must be confessed that it presents a very queer picture, though it admits some kind of evolutionary process. Its principal tenet that God is the prime mover of the physical world is outside the scope of Natural Science as understood today.

The last paper in this series raises a question of immense importance for our times, namely the question of the absolute validity of the natural and the moral law. The answer to this question given by Nietzsche is the aspect of his thought which Fr. Copleston has chosen to consider in his paper on "St. Thomas and Nietzsche", since it is an aspect which "embodies an extreme statement of the problem of modern man", and Fr. Copleston here shews how this problem may be resolved on the principles of the Thomistic philosophy.

Nietzsche, as is well known, foresaw with amazing prescience the times of crisis through which we are now living; and he described the approaching catastrophe as "the triumph of Nihilism", by which he meant the conviction that life is absurd. It is "the absolute repudiation of worth, purpose, desirability". He thought, and it seems rightly thought, that modern Europeans had become involved in wholesale scepticism, doubting the objective validity of the laws of knowledge and of morality, and had nothing better with which to replace the convictions which they had discarded. Such scepticism may easily lead, and in fact has led, to what Nietzsche calls "active nihilism", i.e. a desire to destroy completely the old values. It is this which we are at present witnessing. Nietzsche then was certainly right in his assessment of the situation in his time and in his prediction of its consequences; but what is more important, he was right in his analysis of its causes. He himself was, as everyone knows, an atheist; and he traces the coming nihilism to this very atheism. Since "God is dead", all the absolute values, including the absolute moral code, are dead too. Fr. Copleston thinks that St. Thomas would agree with Nietzsche's conclusion concerning the moral law, and surely he is right in thinking so. It is in supporting this opinion that he puts his finger on the source of all our present troubles. "It is perfectly clear that for the Angelic Doctor the Natural Law is the expression of the Eternal Law, the Divine Wisdom considered as directing all the motions and acts of creatures towards their end." Take away the foundation and the whole structure of objective truth and absolute moral obligation

falls to the ground; and this is what has now happened before our eyes. It is equally clear that the remedy, and the only remedy, for the catastrophic destruction of man, brought about by his elevating himself into the place of God whom he has abandoned, is a return to belief in God who is absolute truth and goodness. Though this cannot be attained merely by wishing for it, yet it is a necessary pre-condition for the curing of the disease to diagnose its cause. Whether the civilized world will return to a genuine conviction of the reality of God in time to prevent its own destruction no man can say: but it is certain that if it does not this destruction is inevitable.

To persuade it to do so is one of the objects of a book lately published in America.<sup>1</sup> The author, Dr. Reinhardt, endeavours to find "principles of thought and action in a changing world". He contends that many of the errors of our times are due to a habit of treating "things and events in isolation, separated from their natural and supernatural context and therefore emptied of their true meaning and significance". He pleads therefore for a return to a total view of reality; and shows in this book how all the problems of ethics, economics, and politics are bound up with, and dependent upon, a metaphysical view of the nature of being. They are not subjects which can be dealt with in isolation, but must presuppose some system of metaphysics.

The conditions for the "Revolution of Nihilism" were created in the nineteenth century by the scepticism engendered through the growth of natural science, which led to the partial or total abandonment of "the time-honoured standards and values of the Western Tradition". In particular the traditional view of the nature of man underwent a complete change, so that he was no longer regarded as having any peculiar privileges—in particular the use of reason—but merely as one animal among others, having neither free-will nor a spiritual soul. Dr. Reinhardt's aim in this book is to demonstrate the falsity of this view, and to explain the moral and social consequences which follow from taking a true view of reality and of man.

The first section, after a most penetrating and illuminating introductory chapter, is devoted to explaining the nature of being and reality; for he finds it impossible to divorce ethics from metaphysics, since he thinks it to be clear that what a man can and ought to do depends upon what he is. According to the view which we take of his nature will be our view of how he should act and be treated. This contention, so airily dismissed by the moralists of the last generation under the influence of Kant and the German philosophers, has now been proved to be true by the inexorable logic of events. We have seen what effects in practice have been produced by the materialistic view of man's nature in the state systems of Germany and Russia.

Dr. Reinhardt sets out most lucidly the traditional view of being and reality, leading up to the supreme reality, God. He then explains the nature of man before going on to consider what man can and ought to do, or the sphere of ethics, economics and politics. He gives here a most valuable exposition of human freedom and its limits, and he recognizes that "by using freedom, his most precious and precarious gift, man may grow to his full and majestic stature and thus become a master, or he may extinguish the spark of the Divine in his nature and descend into the telluric realm of self-chosen servitude".

<sup>1</sup> *A Realistic Philosophy*. By K. F. Reinhardt, Ph.D. (The Bruce Publishing Company, Milwaukee. \$2.75.)

The third section of this book deals with the social life of man, and treats of political and social science as subdivisions of ethics, since man's moral life is concerned not only with his actions as an individual, but also as a member of a group or society; and the author insists that moral concepts of right and wrong are as valid for society as they are for the individual.

In this connexion he defends the Natural Law as rooted in the Eternal, since man's reason is essential to his nature, and is derived from, and in its degree reflects, the Divine Reason. A most valuable historical account of theories of the State, from that of Plato down to those of Feuerbach, Marx and Rosenberg in our own times, forms a prelude to a description of the Corporate State as envisaged in the Papal Encyclicals, and the whole book concludes with some observations on "Man as Producer and Consumer".

Here then is a book which offers us the remedy for our present troubles. As Dr. Reinhardt writes: "Tragic indeed is the plight of modern man. . . . Having learned to doubt everything, he is no longer sure of anything, including his own self. He thus feels inclined to yield to the temptation of nihilism. In such a situation it becomes more than ever the great mission of philosophy and religion to restore first of all the image of man in its original purity and its true proportions, and secondly, to lead man back on the road to that reality which he had come to view with such baseless distrust and disgust."

R. P. PHILLIPS.

## QUESTIONS AND ANSWERS

### ARTIFICIAL FECUNDATION

Does the condemnation of the Holy Office, mentioned in *THE CLERGY REVIEW*, 1943, XXIII, p. 564, cover the case where the husband's semen is obtained without causing solitary pollution? (X.)

### REPLY

(i) The method in question is thus described by Vermeersch, *De Castitate*, n. 88: "Sine ulla copulatione, nemaspermata ex interiori testiculorum tunica (epididymo) extrahuntur, ac dein in uxoris vaginam et uterum immittuntur." This description is accepted by Cappello, *De Matrimonio*, n. 383, and by the other writers who discuss the matter. It is a lawful method of obtaining a specimen for examination, but the point at issue is whether the wife may lawfully be impregnated with semen obtained in this way. There is, of course, no problem to discuss if the parties in question are not validly married.

It is the opinion of Fr. Vermeersch that, in these circumstances, artificial fecundation is permissible: "haec ratio fecundationis artificialis damnanda non videtur, cum sine ullo abusu venereo, i.e. sine ulla sexuali commotione, finem matrimonii procuret." Relying on the authority of Fr. Vermeersch,



some other modern writers teach the same doctrine, e.g. Noldin, *De Sexto Precepto*, n. 77; Payen, *De Matrimonio*, n. 2114. Others are content to record this opinion without giving any judgement upon it, e.g. Gougnard, *De Matrimonio*, p. 280.

(ii) All moral theologians at the present day are under a great debt to Fr. Vermeersch, both for the range of his interests and for his skill in applying accepted principles to new problems. It is, therefore, with considerable diffidence that one ventures to dissent from his judgement in a matter of this kind.

In the first place, there are one or two considerations which have not, perhaps, been duly weighed by those who have accepted his view. It is assumed, for example, that the decision of the *Holy Office*, 24 March, 1897, condemned artificial fecundation chiefly because the means thereto was unlawful, namely, solitary pollution, and it is argued accordingly that the condemnation does not necessarily apply when semen is obtained from the husband in a lawful manner. We do not know the grounds for reading this meaning into the text, but from the words used it would seem that artificial fecundation of the woman is forbidden no matter what means are used to obtain the semen. Obtaining semen is an act quite distinct from its subsequent use, nor does the word "fecundation" properly apply to any act, lawful or unlawful, which precedes its introduction into the body of the woman; and we scarcely needed a condemnation of solitary pollution, since its wrongness was not in dispute and never has been.

Moreover, in most instances where resort is had to artificial fecundation, it is extremely likely that its necessity has arisen because one of the parties is, at least relatively, impotent. Quite important considerations will then arise affecting the validity of the marriage, considerations which the writers for the most part do not properly weigh. Cf. Prümmer, *Theologia Moralis*, III, §799; Gasparri, *De Matrimonio*, II, §1095.

Further, it is fairly evident that artificial fecundation, of the kind we are discussing, is not consummation of marriage as commonly understood by theologians and canonists, and Gasparri, *loc. cit.*, definitely holds that even artificial assistance given to semen deposited in *vaginae orificium* does not consummate marriage; *a fortiori* there will be no consummation in artificial fecundation carried out as described in the above question.

(iii) These difficulties are not perhaps insuperable, if we are to limit our judgement solely to the natural morality of the act without considering questions of a legalistic kind which may result. But their combined effect does, in our view, add weight to the opinion opposed to that of Fr. Vermeersch, the opinion, namely, that the only lawful form of artificial fecundation, if one may loosely employ this term, consists in assisting the passage of semen after it has been deposited within the vagina by natural intercourse between husband and wife. Cappello is the clearest exponent of this teaching: ". . . sine ulla cunctatione et dubitatione tenemus contra paucissimos; actus enim proprius coniugii est copula seu congressus maris et feminae, cuius finis est utique procreatio proles, sed naturali modo obtinenda, scil. per congressum maritalem, quo iniiciatur vitali actu sperma a viro in vaginam mulieris." The same view is held, though less strongly, by Marc-Gestermann, *Theologia Moralis*, II, §2118, and it is held unhesitatingly

by Merkelbach, *Theologia Moralis*, III, §938. It is the doctrine generally taught by the manualists, and, though we must concede extrinsic probability at least to the opinion of Fr. Vermeersch, we think it would be imprudent to adopt it at the present time, when the topic has ceased to be of purely academic interest. It can be defended, if at all, only by casuistical distinctions which tend to obscure the main issue, and which will confuse the minds of any except professional theologians.

#### ONE CELEBRANT AT FUNERAL RITES

Should the Absolution at the end of Mass and the rite in the cemetery be performed by the celebrant of the Mass? (L.)

#### REPLY

*Rituale Romanum*, Tit. vi, cap. iii, n. 7: Finita Missa, Celebrans, depositis casula . . . accipit pluviale nigri coloris.

S.R.C., 12 August, 1854, n. 302 9, 10: Num post Missam in die obitus alius sacerdos a Celebrante diversus accedere possit ad absolutionem peragendam? *Resp.* Negative; et ex decretis hoc iure gaudere tantum Episcopum loci Ordinarium.

Canon 1231, §2: Qui exequias in ecclesia peregit, non solum ius, sed etiam officium habet, excepto gravi necessitatis casu, comitandi per se vel per alium sacerdotem cadaver ad locum sepulturae.

It is clear from the above texts that the Absolution must be given by the celebrant of the Mass, except when the Ordinary of the diocese chooses to give the Absolution himself. N. 3798.2 denies this right to a titular bishop who lacks jurisdiction, but Vicars Apostolic who are usually bishops possess the right, and also Prefects Apostolic who are not bishops enjoy it in the opinion of many commentators: cf. *Collationes Brugenses*, 1934, p. 107; canons 294 and 308.

It is equally clear from canon 1231, "per se vel per alium", that the conclusion of the rite at the cemetery may be performed by a priest who has neither celebrated the Mass nor given the Absolution in the church.

#### CORPUS CHRISTI EXPOSITION

May one hold, from canon 1274, that exposition is permitted during Mass on Corpus Christi and throughout the Octave without violating any law? (W.)

#### REPLY

Canon 1274: . . . expositio vero publica seu cum ostensorio die festo Corporis Christi et intra octavam fieri potest in omnibus ecclesiis inter Missarum solennia et ad Vesperas. . . .

*Caerem. Epp.* Lib. ii, cap. xxxiii, n. 33 . . . solitum est per totam hanc octavam ponere super altare tabernaculum cum sanctissimo Sacramento discooperto, dum Vesperae et Officia divina recitantur. . . .

S.R.C., 20 April, 1641, n. 753: . . . an regulares intra hebdomadam Corporis Christi inter Missarum solemnias et ad Vesperas exponere SS. Sacramentum absque eius (Ordinarii) licentia? *Resp.* Posse regulares in casu proposito publice exponere SS. Eucharistiae Sacramentum absque licentia Ordinarii.

(i) It is well known that, in principle, Mass may not be celebrated at an altar whereon the Blessed Sacrament is exposed. The Cardinal Vicar of Rome, drawing attention to this rule, 30 March, 1938,<sup>1</sup> cited the relevant decrees: 13 June, 1671, n. 1421, §; 11 May, 1878, n. 3448, 1; 17 April, 1919, n. 4353; 27 July, 1927, *A.A.S.*, xix, p. 289.

Departures from this principle are by way of toleration owing to existing customs which, it is presumed, cannot easily be removed, e.g. nn. 2390, 2417, 2509, 3599. As recently as 11 June, 1904, S.R.C. sanctioned the practice on certain feasts "etiam perdurante Missae celebratione ad maiorem solemnitatem", provided the Ordinary's permission was obtained, but this reply did not appear in the *Decreta Authentica* under n. 4136.<sup>2</sup>

(ii) Recognized exceptions to the principle in the common law, and not merely tolerations of an abuse, or indults, are firstly the Mass of Deposition at the conclusion of the Forty Hours' Exposition. Secondly, in our opinion, the exposition on Corpus Christi and throughout the octave must be regarded as a well established exception. This is the plain meaning of the words in canon 1274 and in *Caeremoniale Episcoporum*, where "officia divina" must be interpreted to include Mass, as defined in canon 413, §2.

A suggestion in *Ephemerides Liturgicae*, 1930, p. 152, that "inter Missarum solemnias" means after the celebrant's communion, is not sustained in later discussions in that journal, as far as we can discover,<sup>3</sup> and it is rejected for compelling reasons by Vermeersch in *Periodica*, 1930, p. 128.

Accordingly, though the practice is not of obligation, we think it is permitted by the common law on Corpus Christi and throughout the octave.

#### MARRIAGE BLESSING

Is a papal indult required for the use of the blessing given in the *Ordo Administrandi*, p. 207? (E. C.)

#### REPLY

The Rite of celebrating marriage is followed in the *Ordo Administrandi* by two other rites: firstly, the nuptial blessing *extra Missam*, discussed in this REVIEW, 1942, XXII, p. 227 and p. 424, and 1944, XXIV, p. 226, for which an indult is certainly required, unless its use is justified by custom; secondly,

<sup>1</sup> *Ephemerides Liturgicae*, 1938, p. 33.

<sup>2</sup> The original reply may be seen in contemporary journals, e.g. *Collationes Brugenses*, 1905, p. 181.

<sup>3</sup> Cf. 1932, p. 292; 1938, p. 36.

a form of blessing for use when a nuptial blessing, even *extra Missam*, is not permitted, discussed in this REVIEW, 1944, XXIV, p. 424 and p. 470. The above question refers to this second blessing, and the doubt arises because the text, in the *Ordo Administrandi*, makes no mention of indult, whereas it is expressly mentioned in the form for a nuptial blessing *extra Missam*. The question of a lawful custom scarcely arises since this second blessing was not authorized by the Holy See till 11 March, 1914.

We think an indult is required, in principle, even for the use of the second blessing, for this is the direction of the *Rituale Romanum*, Appendix "De Matrimonio", II. Both blessings were issued by S.R.C., under the same date, 11 March, 1914, and in the texts printed in the journals the necessity of an indult is mentioned, e.g. *Periodica*, XII, p. 71; it was mentioned on the leaflets issued to the clergy in 1914. Moreover, we have seen recent indults conceding the use of this second blessing.

Since, however, no mention is made of an indult in the text of the *Ordo Administrandi*, it is not unreasonable to conclude that a general permission was obtained when the last edition of this book appeared in 1915. There are obvious objections, indeed, against this interpretation, particularly the fact that the *Ordo Administrandi* requires an indult for the use of the first blessing; but we are entitled to follow a local text which has been commended by the hierarchy, and which makes no mention of indult.

#### CONSECRATION CROSSES

What is the law concerning the material and disposition of the crosses required when a church is consecrated? (B.)

#### REPLY

*Pontificale Romanum* "De Ecclesiae Dedicatione": Item depingantur in parietibus Ecclesiae intrinsecus per circuitum duodecim cruces, circa decem palmos super terram, videlicet tres pro quolibet, ex quatuor parietibus. Et ad caput cuiuslibet crucis figatur unus clavus, cui affigatur una candela unius unciae.

S.R.C., 18 February, 1696, n. 1939: An duodecim cruces . . . expleta consecratione possint evelli si sint factae ex marmore, aut deleri si sint pictae . . . ? *Resp.* Omnino perpetuis in futuris temporibus remanere debere.

31 August, 1867, n. 3157.4: Cruces . . . non fuerunt dispositae prout fert Pontificale Romanum; et aliunde, incuria plane supina, quaedam fuerunt destructae effosso muro. Quaeritur: an novis Crucibus, loco et ordine requisitis ac depictis, suppleri debeat illarum unctionis caeremonia iuxta formam Pontificalis? *Resp.* Depingantur iterum Cruces in Ecclesia, quarum sex in parte dextera, sex aliae in sinistra appareant: ita tamen ut duae sint prope Altare maius et duae prope Ecclesiae ianuam, ommissa unctionis caeremonia.

12 November, 1909, n. 4240: An Ecclesia, constructa vel construenda ex

materia quae caementum armatum nuncupatur, consecrari valeat, adhibita forma ac ritu Pontificalis Romani? *Resp.* Affirmative, dummodo duodecim Crucium loca, et postes ianuæ principalis, sint ex lapide.

(i) From the above directions it is clear that it suffices for the crosses to be painted on the walls of the church, except when these walls are of reinforced concrete, when the portions to be painted must be of stone, or of marble. The commentators permit crosses made of mosaic or of metal let into the wall, but reject the use of wooden crosses. Wooden crosses are not, indeed, expressly prohibited, but the prohibition is, we think, implied in n. 4240. When the church is built of brick, plastered or not, the crosses should similarly, in our opinion, be of stone or marble, but there are no express directions on this point. A writer in *l'Ami du Clergé*, 1939, p. 284, accepts as a principle that the part to be anointed must be of natural stone, and therefore regards brick as being in the same category as concrete.

(ii) The arrangement of the crosses may be either as directed in the Roman Pontifical or as in *S.R.C.*, n. 3157.4. The candle bracket, according to the direction of the Pontifical, should be above the cross "ad caput cuiuslibet crucis", but the custom of placing it below is very common and may be followed. The reason why the Pontifical directs it to be above is, no doubt, in order not to have any obstruction in the way of the prelate who is consecrating: some therefore insist on it being above for the ceremony of dedication, but permit it to be placed below when the candles are lighted on subsequent anniversaries. Since the direction is so clear, we can see no reason why the bracket should not be above the cross, both for the dedication and thereafter.

#### MINISTER AS BAPTISMAL SPONSOR

Assuming that a priest gets permission to be a baptismal sponsor, as required from canon 766.5, may he at the same time administer the sacrament? (S.)

#### REPLY

*S.R.C.*, 14 June, 1873, n. 3305.3: Num in administratione sacramenti Confirmationis Episcopus possit . . . Ministri et Patrini partes uno eodemque tempore sustinere, dextera scilicet manu frontem confirmandi sacro Chrismate signare ut Minister, as sinistra confirmandum ipsum tenere ut Patrini. *Resp.* Episcopus confirmans in casu officium Patrini gerat per Procuratorem.

One's first reaction to this question was a decided negative, since it appeared almost from the nature of things that the minister could not also be the godparent. He contracts spiritual paternity by baptizing the infant and it would seem that he cannot contract it again, with regard to the same person, by acting as sponsor; moreover, he would be addressing questions to himself during the rite. Relying, however, by analogy, on the reply given by *S.R.C.*, n. 3305.3, De Smet, *De Sacramentis*, n. 352, teaches that it is not forbidden: "Non prohibetur sacerdoti baptizanti, simul ac baptizat,

agere patrinum; sed munus susceptoris exercere debet per procuratorem, qui nomine sacerdotis Baptismum ministrantis suscipiat et interrogationibus faciendis respondeat." He quotes for the same teaching *Revue du Clergé Français*, LV, p. 725.

De Smet's opinion may be followed, if desired, since the law nowhere expressly bars the minister from being at the same time a godparent. But we cannot easily discern any reason for a practice which, if not forbidden, is certainly extremely odd and unusual, and we imagine that the priest's Ordinary would not grant permission for him to act as sponsor if he knew that the sponsor was also to be the minister.

If the double office is, nevertheless, assumed, the priest should appoint a proxy to answer for him as sponsor, on analogy with *S.R.C.*, n. 3305-3, thereby avoiding the additional oddity or impropriety of speaking to himself when putting and answering the questions.

#### LOCATION OF BAPTISTERY

It is proposed to erect a baptistery, in a new church, at the east end close to the high altar, in order that the faithful may follow more easily the administration of baptism. Is this permitted? (B. S.)

#### REPLY

*Roman Catechism*, II, xii, 61: . . . afferuntur enim, vel etiam adducuntur, qui baptismo initiandi sunt, ad Ecclesiae fores; atque ab eius introitu omnino prohibentur; quod indigni sint, qui domum Dei ingrediantur, antequam a se turpissimum servitutis iugum repulerint, et totos se Christo domino, eiusque iustissimo imperio addixerint.

We know of no modern text which explicitly defines the correct position of a baptistery. The current *Rituale Romanum*, Tit. ii, cap. i, n. 46, has "decenti loco", and the previous edition, n. 28, reads "locus est Ecclesia, in qua sit Fons baptismalis, vel certe Baptisterium prope Ecclesiam"; *S.R.C.*, n. 3104.9, deprecates using the sacristy for solemn baptism.

There are many ancient examples of baptisteries separated from the church though adjacent to it, as provided for in the previous Roman Ritual, and the liturgical movement in recent years tends to a revival of this practice, to the extent at least of making the baptistery very distinct from the church properly so called, though part of the same building. This ecclesiastical tradition is reflected in the words of the *Roman Catechism* quoted above, and though the words of the rite itself, "ingredere in templum Dei", suppose that the church is entered before baptism is administered, custom based on tradition has located the baptistery in the least sacred part of the edifice, namely, adjoining the narthex or porch at the west end of the church, not adjoining the altar at the east end. Moreover, the north end of the narthex, that is to say to the left on entering, is generally considered to be most appropriate, since the north is the region of darkness.

Nevertheless, in the absence of any very explicit law on the subject,



baptisteries are often situated at any convenient place in the church, in the arm of either transept, in the apse behind the high altar, or in a side chapel opening from either aisle. In our opinion, all these locations are undesirable, and in erecting a new church one should place the baptistery near the main western entrance and to the left of it, if it is desired to be in accordance with liturgical tradition; the advantage of having a baptistery visible to all does not, in our view, compensate for or justify a departure from ancient practice. We read, accordingly, in the *Directions* of Cardinal Vaughan, 1933 edition, p. 39: "Ordinarily the baptistery will stand near the main entrance to the church and on the left (or north) side."<sup>1</sup>

E. J. M.

ROMAN DOCUMENTS

THE NATURE AND PURPOSE OF MATRIMONIAL PROCESSES

ALLOCUTION

OF POPE PIUS XII TO THE AUDITORS AND OTHER OFFICIALS OF THE ROMAN ROTA, 2 OCTOBER, 1944 (*A.A.S.*, XXXVI, 1944, p. 281)<sup>2</sup>

*The one purpose of the treatment of matrimonial cases.*

The opening of the Roman Rota's legal year has in the past given us an opportunity of calling attention to special points relating to the treatment of matrimonial cases, and of showing how the Church, conformably with her mission and character, views and considers such points, and how she wishes them, in consequence, to be viewed and considered also by the judge and the officials of ecclesiastical courts.

We spoke in the first place of the natural right to marry, and also of physical and psychical impotence; We dealt also with certain fundamental principles touching declarations of nullity and the dissolution of the bond validly contracted.<sup>3</sup> Later We set forth some reflections on the certainty which is required in order that the judge may proceed to pronounce a verdict, and We pointed out that moral certainty suffices, such certainty, that is, as excludes any reasonable doubt concerning the truth of the facts, and We also recalled that it must have an objective character and not be based merely upon opinion or upon the purely subjective sentiment of the judge.<sup>4</sup>

With the same intention of expressing the spirit and will of the Church, which to matrimony attributes a very high degree of importance for the

<sup>1</sup> Cf. *Collationes Brugenses*, 1927, p. 346; *Ephemerides Liturgicae*, 1928, p. 32; Roulin, *Nos Eglises*, p. 187.

<sup>2</sup> Translation from the original Italian by G.D.S.

<sup>3</sup> See *THE CLERGY REVIEW*, 1942, XXII, p. 84.

<sup>4</sup> See *THE CLERGY REVIEW*, 1943, XXIII, p. 135.

good of the Christian people and for the sanctity of the family, We propose today—having listened to the full and accurate annual statement of your worthy and eminent Dean—to say a few words on the unity of aim which must give its specific form to the work and collaboration of all who take part in the treatment of matrimonial cases in ecclesiastical courts of whatever degree or kind, a unity of aim which must animate and unite them in one single unity of intention and action.

(1) *The threefold element in unity of action.*

It is first to be observed in general that the unity of human action springs from the following elements: a single aim, a common pursuit of this aim by all, and a legal and moral obligation to take up and maintain such pursuit. You will realize that of these three elements it is the single end or purpose which constitutes the formal or determining principle, both from the objective and from the subjective point of view. Just as all motion is determined by the end to which it tends, so in like manner conscious human activity receives its specific nature from the end which it proposes to attain.<sup>1</sup>

Now in a matrimonial process the *single end* to be attained is a verdict which is in conformity with truth and law: in a nullity case it will be a verdict concerning the alleged non-existence of the matrimonial bond, in a case *de vinculo solvendo*, a verdict concerning the existence or otherwise of the conditions necessary for the dissolution of the bond. In other words, the end is to ascertain authoritatively the truth and the relevant law in relation to the existence or the continuance of a matrimonial bond, and to give effect to it.

The *personal pursuit* of this end is secured by the will of the individuals who take part in the case, inasmuch as they direct and subordinate all their thoughts, intentions, and actions in the proceedings to its attainment. If all the participants steadily maintain this pursuit, then their unity of action and co-operation follows as a natural consequence.

The third element, the *legal and moral obligation* to maintain such pursuit, is derived, in the case of a matrimonial process, from the divine law itself. For the contract of wedlock by its very nature, and between baptized persons by reason of its elevation to the dignity of a sacrament, is appointed and determined not by the will of man but by God. It is enough to recall the words of Christ: "What God hath joined together let no man put asunder,"<sup>2</sup> and the teaching of St. Paul: "This is a great sacrament; but I speak in Christ and in the Church."<sup>3</sup> The extreme seriousness of this obligation, arising from the law of God as from its ultimate and eternal source, and designed to serve the cause of truth in the matrimonial process, must always be emphatically asserted and underlined. May it never come to pass that in matrimonial cases before ecclesiastical tribunals instances be found of deception, perjury, fraud, suborning of witnesses, or frauds of any kind! Let all who take part in them, therefore, keep their conscience alert and when necessary quicken and revive it, to remind themselves that the tribunal before which these processes are ultimately conducted is no mere human tribunal, but that of God himself who knows all things, and that consequently its judgements, if falsified by any substantial fraud, have no validity in the sight of God or in the sphere of conscience.

<sup>1</sup> Cf. *St. Th.*, I-2ae, q. I, a. 2.

<sup>2</sup> Matt. xix, 6.

<sup>3</sup> Eph. v. 32.

(2) *Unity of end and action in each of the participants.*

Unity and co-operation in matrimonial cases are therefore achieved through the unity of the end, through the common pursuit of that end, and through the obligation to subserve it. This threefold element imposes certain essential requirements upon the action of each of the participants, and endows it with a special character.

## (a) THE JUDGE

The judge, who may be regarded as the embodiment of justice, reaches the supreme exercise of his function in pronouncing the verdict; it is this verdict that juridically establishes and decides the truth and gives it legal validity, both as regards the facts upon which the judgement is to be passed and as regards the law to be applied in the case. Now this declaration and establishment of the truth is in fact the end to which the whole of the proceedings are directed. It is therefore in this objective subordination of the whole process to its end that the judge also finds a sure guiding principle for every personal investigation, judgement, command, or prohibition, which the development of the process may involve. It is thus evident that the obligation incumbent upon the judge is none other than that which we have mentioned as deriving from the divine law, viz., to enquire and decide according to the truth whether a bond, contracted with external signs, exists in reality, or whether the necessary conditions for its dissolution are verified, and, the truth once established, to give his verdict in accordance with it. Herein lies the great importance and the grave personal responsibility of the judge in the conduct and conclusion of the process.

## (b) THE "DEFENSOR VINCULI"

The function of the *Defensor Vinculi* is to uphold the existence or the continuance of the matrimonial bond; not absolutely, however, but in subordination to the aim of the process, which is to seek and discover the objective truth.

The *Defensor Vinculi* has to co-operate in the pursuit of the common end by investigating, expounding, and clarifying all that can be adduced in favour of the bond. He is to be considered as "*pars necessaria ad iudicii validitatem et integritatem*",<sup>1</sup> and in order that he may discharge his office effectively legal procedure has granted him certain rights and assigned to him particular duties.<sup>2</sup> And just as it would be inconsistent with the importance of his function and with the exact and loyal fulfilment of his duty were he to content himself with a summary glance over the evidence and with a few superficial observations, so it is not fitting that such an office should be entrusted to persons lacking in experience of life or in maturity of judgement.<sup>3</sup> Nor is this rule nullified by the circumstance that the observations of the *Defensor Vinculi* are submitted to the examination of the judges, for these have the right to find in his careful work an aid com-

<sup>1</sup> Bened. XIV, Const. *Dei miseratione*, 3 Nov., 1741, §7.

<sup>2</sup> Cf. e.g. can. 1967-1969.

<sup>3</sup> Cf. Norm. S. R. *Rotae Trib.*, 29 June, 1934, art. 4, §2.

plementary to their own activity, and they cannot be expected to do the work of the *Defensor* all over again or to review all his investigations, in order to be able to place confidence in his exposition.

But on the other hand it cannot be required of the *Defensor Vinculi* that he shall at all costs compose and prepare an artificial defence of the bond, without caring whether his assertions are based on serious grounds or not. Such a requirement would be quite unreasonable; it would burden the *Defensor Vinculi* with a useless and unnecessary task; it would not help to clear up the question, but rather to confuse it; and it would have damaging effects in lengthening out the process. Therefore both the interests of the truth itself and the dignity of his office demand that the *Defensor Vinculi* shall be acknowledged in principle to have the right, where circumstances make it necessary, to declare that, after a careful, exact and conscientious examination of the evidence, he has not found any reasonable objection to raise against the case of the petitioner.

This fact, and the consciousness that it is no part of his duty to uphold unconditionally a thesis imposed upon him, but that he has rather to serve the cause of existing truth, will save the *Defensor Vinculi* from putting tendentious and insidious questions; from alleging or inventing contradictions where a sound judgement would either see none or else easily solve them; from impugning the veracity of witnesses because of discrepancies or inaccuracies on points which are unessential or unimportant for the purpose of the case—discrepancies and inaccuracies which, according to the psychology of evidence, come within the sphere of normal causes of error and do not invalidate the substance of the witness's deposition. The consciousness of being at the service of truth, finally, will prevent the *Defensor Vinculi* from demanding further proofs when those already adduced are fully sufficient to establish the truth: a practice which We have reprobated on a previous occasion.<sup>1</sup>

Nor is there any force in the objection that the *Defensor Vinculi* is supposed to write his animadversions not "pro rei veritate" but "pro validitate matrimonii". If this is taken to mean that it is his duty to emphasize all the points which favour the existence or the continuance of the bond, and not the points which tell against it, then the observation is perfectly just. But if it is interpreted in the sense that the *Defensor Vinculi* in his action is not bound, like everybody else, to direct his energies to the ultimate aim of discovering the objective truth, but that he is forced, unconditionally and irrespective of the outcome of the process, to uphold the thesis of the existence or necessary continuance of the bond, then the statement must be regarded as false. In this sense all who take part in the process, without any exception, are bound to direct their action towards the one single purpose: "pro rei veritate".

### (c) THE "PROMOTOR JUSTITIAE"

We must make a few brief remarks also on the *Promotor Justitiae*. In certain cases the public good may require a declaration of nullity, and in such cases the *Promotor Justitiae* makes petition for it in regular form before

<sup>1</sup> See THE CLERGY REVIEW, 1943, XXIII, p. 138.

the competent tribunal. If there were any instance in which one might be inclined to doubt the singleness of purpose and the joint co-operation of all participants in a matrimonial process, it would be this; for here are two public officials who seem to take sides against each other before the court: the one, the *Defensor Vinculi*, being bound in virtue of his office to deny what the other, equally in virtue of his office, is required to promote. And yet, on the contrary, it is precisely here that the singleness of aim and the common pursuit of this single aim by all become quite evident; for, despite their apparent opposition to each other, both are in fact demanding of the judge one and the same thing: that he shall give a verdict in conformity with the truth and reality of the same objective fact. Singleness of aim and co-operation would fail, only if the *Defensor Vinculi* and the *Promotor Justitiae* respectively considered their own immediate and contrary objectives as absolute, and if they thus divorced and separated them from their connection with the common final objective and their subordination to it.

#### (d) THE ADVOCATE

But the singleness of purpose, the common pursuit of that purpose, and the obligation to subordinate everything to its attainment, must be weighed and considered with particular attention in connection with the legal adviser or *advocate*, employed by the accuser of the marriage, the respondent, or the petitioner, because no one is more exposed to the danger of losing sight of them. The advocate assists his client in drawing up the preliminary statement of his case, in correctly determining the issue and the ground of the dispute, in emphasizing the decisive points of the fact in question. He indicates to him the proofs which are to be brought forward, the documents to be put in; he suggests the witnesses to be called and the points in their evidence which are essential; during the hearing of the case he assists him in correctly assessing objections and arguments to the contrary, and in rebutting them. In a word he assembles and gives prominence to all that can be alleged in favour of his client's petition.

In this manifold activity the advocate is of course allowed to use all his energies to win the case for his client. But in none of his actions is he allowed to lose sight of the final aim, which is the discovery, establishment, and legal affirmation of the truth, of the objective facts. You who are here present, eminent lawyers and honourable upholders of the ecclesiastical court, know perfectly well that the consciousness of his duty to attain this end ought to guide the advocate in his reflections, in his advice, in his assertions, and in his proofs; and that this consciousness prevents him from building up artificial cases, from accepting the advocacy of causes which have no serious foundation, from making use of fraud or deception, from inducing the parties or the witnesses to bear false testimony, or from having recourse to any dishonest practice; that in fact it positively moves him to act throughout the proceedings according to the dictates of conscience. The final aim is the clear manifestation of the truth, and upon this aim all the efforts of the advocate as well as those of the *Defensor Vinculi* must converge, for both of them, though by reason of their different immediate

objectives they move from opposite points, have to direct their energies towards the same ultimate purpose.

We can thus see what is to be thought of the following principle, only too frequently asserted and followed in practice: "It is the right and duty of the advocate," so it is maintained, "to bring forward all that assists his own thesis, just as the *Defensor Vinculi* does in regard to the opposing thesis. The rule 'pro rei veritate' does not apply to either of them. It is for the judge, and for the judge alone, to assess the truth of the matter; to burden the advocate with this preoccupation would be to hamper or even completely to paralyse the whole of his activity." This observation is based upon an error of theory and practice; it fails to appreciate the inner nature and the essential and final purpose of a legal dispute. The contest in a matrimonial case cannot be likened to a competition or a tournament, in which the contending parties have no final aim in common but each is intent on his own particular and absolute aim, without regard and indeed in actual opposition to that of his opponent, the aim, that is, of defeating his adversary and gaining the victory. Here the winner's victorious striving creates the objective fact which is the determining motive for the judge or umpire in awarding the prize; his law is: "The prize goes to the winner." In the juridical contest of a matrimonial process it is quite different. Here is no question of creating a fact by eloquence or argument; the object, rather, is to throw light upon a fact already existing and to make it prevail. The principle just quoted attempts to divorce the advocate's activity from the service of objective truth, and would in some sort attribute to ingenious argument the power to create a right, such as in fact does belong to the victorious effort in a competition.

The same consideration, of the absolute obligation in regard to the truth, applies also in the case of a simple informative process following upon a petition for dissolution. The procedure in ecclesiastical courts does not provide for the intervention of a legal advocate for the petitioner; but the latter has the right on his own account to avail himself of the advice and assistance of a lawyer in formulating and motivating his petition, in selecting and calling witnesses, and in overcoming any difficulties which may supervene. Here too the legal adviser may make full use of all his knowledge and skill on behalf of his client; but even in this extra-judicial activity he must bear in mind the obligation which binds him to serve the cause of truth, his subordination to the common aim, and the part which he has to play in its achievement.

It is clear from all that we have hitherto said that, in the treatment of matrimonial cases in ecclesiastical courts, it is the duty of judge, *Defensor Vinculi*, *Promotor Justitiae*, and advocate, all to make common cause, so to speak, and to co-operate, not by confusing their respective functions, but by combining consciously and deliberately in submission to the one common aim.

#### (e) PARTIES, WITNESSES, EXPERTS

It is not necessary to add that the same fundamental obligation—to investigate, make manifest, and legally establish the truth—is equally binding upon the other participants in the process. It is in order to secure the



attainment of this end that the oath is administered to them. In this subordination to the aim of the process they find a clear rule to govern both their internal attitude and their external action, and it is the source from which they draw sureness of judgement and peace of conscience. Parties, witnesses, experts—none of these may invent facts which do not exist; nor may they place a groundless interpretation on facts which exist, nor deny, confuse, or obscure them. Any of these things would be inconsistent with that service to the truth to which they are bound by the law of God and by the oath they have taken.

(3) *The matrimonial process in its relations and subordination to the universal end of the Church, the salvation of souls.*

A general consideration of what has been said shows clearly how the matrimonial process represents a unity of aim and action, in which all the participants have to fulfil their respective tasks in reciprocal co-ordination and in the joint pursuit of one single end; they are like members of a body which, although each of them has its own function and action, are all at the same time reciprocally co-ordinated and made to converge upon the attainment of the same final purpose, which is that of the whole organism.

Yet this study of the inner nature of the matrimonial process would remain incomplete if we did not briefly consider also its relation to things outside itself.

The matrimonial process before an ecclesiastical tribunal is a function of the juridical life of the Church. In Our Encyclical on the Mystical Body of Christ We explained that, while the so-called "juridical" Church is indeed of divine origin, it is not the whole of the Church; it is like the body alone, which must be animated by the soul, that is, by the Holy Spirit and by grace. In the same Encyclical We pointed out likewise that the whole Church, body and soul, so far as concerns the goods which it shares and the benefits which flow from it, is established simply and solely for the "salvation of souls", according to the words of St. Paul: "Omnia vestra sunt".<sup>1</sup> This indicates what is the higher unity and purpose to which the juridical life and all the juridical functions of the Church are related and directed. It therefore follows that all the thought, will, and personal endeavour involved in the exercise of this activity must also be directed to that end which is the proper end of the Church, namely, the salvation of souls. This is equivalent to saying that the higher purpose, the higher principle, the higher unity, is nothing else but the "cure of souls". The whole work of Christ on earth was the cure of souls; so too the cure of souls always has been and still is the whole work of the Church.

But the lawyer as such, looking only to pure law and strict justice, is accustomed almost instinctively to regard the ideas and interests pertaining to the cure of souls as outside his purview, and advocates a clear-cut separation between the two tribunals, that of conscience and that of the external or juridical society. This tendency towards a cut-and-dried division between the two spheres is up to a certain point legitimate, inasmuch as the judge and his collaborators in the judicial process are not charged officially or directly with the cure of souls. But, ultimately and in the final instance,

<sup>1</sup> I Cor. iii, 22.

they too are at the service of souls; and it would be a disastrous error to deny it. If they denied it they would be placing themselves, so far as they act in an ecclesiastical court, outside that aim and outside that unity which are proper to the Church in virtue of her divine institution; they would be like members of a body which hold themselves aloof from the body as a whole, refusing to submit and relate their action to the final purpose of the whole organism.

*Advantages accruing to juridical activity from such subordination*

Juridical activity, and in particular the judiciary department of it, has nothing to fear from such subservience; on the contrary it is by this means made more fruitful and efficient. It provides the necessary broadness of view and of decision. While activity which is purely juridical is always attended with the hidden danger of excessive formalism and attachment to the letter of the law, the cure of souls ensures a counterpoise by reminding the conscience continually of the maxim: "Leges propter homines, non homines propter leges." Thus We had occasion earlier to point out that in cases where the letter of the law proves an obstacle to the attainment of truth and justice, recourse must always be open to the legislator.<sup>1</sup>

Moreover, the thought of being at the service of the Church's higher purpose gives to those who take part in her juridical activity the necessary independence and autonomy in respect of the judiciary power of the State. Although both Church and State, as We pointed out in the above-mentioned Encyclical on the Mystical Body of Christ, are in the fullest sense perfect societies, yet there is a profound difference between them. The Church has a special character all her own, being of divine origin and bearing a divine imprint upon her; and from this fact her juridical life also derives a character quite proper to itself, exhibiting a consistent and definitive orientation towards thoughts and values of a higher, other-worldly, everlasting order. It is not, therefore, merely an opinion but rather an erroneous judgement to maintain that the ideal in the legal practice of the Church consists in its being as perfectly as possible assimilated and aligned with the procedure of the civil law; although this does not exclude the possibility that ecclesiastical law may exploit any true progress made by jurisprudence also in that sphere.

Finally, the consideration of being included in the higher unity of the Church and of subserving her universal end, the salvation of souls, gives to juridical activity the strength to keep steadily to the sure path of truth and justice, preserving it from any weak concessions to the desires of passion, and at the same time from a hard and unreasoning inflexibility. The salvation of souls has for its guide a supreme standard which is absolutely sure: the law and the will of God. It is in accordance with this same law and will of God that a juridical activity, conscious that it has no aim other than that of the Church herself, will be consistently guided in settling the particular cases submitted to it, and will so find endorsed in a higher order the maxim which was already fundamental for it in its own sphere: the service of the truth, and the assertion of the truth, in ascertaining the true facts and in applying to them the law and the will of God.

(Conclusion omitted).

<sup>1</sup> See THE CLERGY REVIEW, 1943, XXIII, p. 137.

This papal allocution emphasizes throughout that all the officials engaged in a marriage case must work together in order to discover the truth. Hence, on the one hand, we are reminded that there is no force in the contention that the *Defensor Vinculi* must, at all costs, uphold the validity of the marriage: this contention is often made and may be seen, for example, in the course of an anonymous article in *Apollinaris*, 1939, p. 356, blaming those "qui audeant scribere pro rei veritate".

On the other hand, the office of the advocate is defined and explained with the opposite emphasis: he must not allow zeal for his client to obscure the truth. The procedure of an ecclesiastical court, which does not normally permit an advocate's presence during the examination of witnesses, is a safeguard; it may be noted, however, that art. 128 of the Instruction, *S. C. Sacram.* 15 August, 1936, does allow the advocate's presence "per modum exceptionis . . . si causae adiuncta pro suo prudenti arbitrio (i. e. instructoris) id suadere videantur".

E. J. M.

# INDULGENCES ATTACHED TO THE "HAIL MARY" IN THE ORTHODOX FORM

## SACRA CONGREGATIO PRO ECCLESIA ORIENTALI

NOTIFICATIO (*A.A.S.*, 1944, xxxvi, p. 245)

Die 3 Iunii a. 1888 Sacra Congregatio Indulgentiis Sacrisque Reliquiis praeposita sequens Rescriptum emisit: "Sacra Congregatio Indulgentiis Sacrisque Reliquiis praeposita, utendo facultatibus a Ss<sup>mo</sup> D. N. Leone Pp. XIII sibi specialiter tributis, benigne declarat, et quatenus opus est indulget, ut Salutatio Angelica prouti hucusque recitari consuevit apud Ruthenos necnon alios Christifideles ritus orientalis, quoties praescribatur uti conditio necessaria ad Indulgentias lucrificandas, aequae valeat ad huiusmodi effectum ut Salutatio Angelica quae recitatur a Christifidelibus Ecclesiae latinae. Contrariis etc."

Cum autem a quibusdam disceptatum fuerit de sensu huius Rescripti, Sacra Congregatio pro Ecclesia Orientali sequentia dubia Sacrae Paenitentiariae Apostolicae solvenda proposuit:

1. utrum Rescriptum adhuc vigeat;
2. utrum Rescriptum valeat tantum pro fidelibus rituum orientalium, aut etiam pro fidelibus ritus latini, qui recitant Salutationem Angelicam iuxta textum in ritibus orientalibus usitatum;
3. utrum Indulgentiae, recitationi Ss<sup>mi</sup> Rosarii B. M. V. adnexae, lucrificari possint ab omnibus, qui recitant Salutationem Angelicam iuxta textum in ritibus orientalibus usitatum.

Sacra Paenitentiariae Apostolica, die 21 m. Martii a. 1944, ad proposita dubia respondendum censuit:

- ad. 1: affirmative;
- ad. 2: negative ad primam partem, affirmative ad secundam;
- ad. 3: affirmative, sed in publica recitatione nihil immutetur.

Datum Romae, ex Aedibus Sacrae Congregationis pro Ecclesia Orientali, die 22 m. Aprilis a. 1944.

E. Card. TISSERANT, *a Secretis*.

## CANONIZATION DECREE

## SACRA CONGREGATIO RITUUM

## BAIONEN

CANONIZATIONIS BEATI MICHAËLIS GARICOÏTS, CONFESSORIS, FUNDATORIS  
SOCIETATIS PRESBYTERORUM, SSMI CORDIS IESU, VULGO DE BETHARRAM.  
(A.A.S., XXXVI, 1944, p. 217.)

## SUPER DUBIO

*An et de quibus miraculis, post indultam eidem Beato ab Apostolica Sede venerationem, constet in casu et ad effectum de quo agitur.*

Beatus Michaël Garicoïts inscrutabili Dei consilio ad Cordis Filii sui in plebem fidelem divitias magis derivandas, animasque, eius sanguine per mysterium Crucis redemptas, ad hunc gratiae et misericordiae fontem adducendas electus, veluti sub Beatae Virginis alas, in insigni eius sanctuario novam condidit *Societatem Presbyterorum Sacratissimi Cordis Iesu*; quae ex loco, ubi condita est, *Bétharram*, quod nomen *pulcher ramus* interpretatur, cognomentum accepit. Vere nomen omen! Societas enim haec iure dici potest *pulcher ramus* in semper virenti Ecclesiae arbore insertus, qui frangentes flores uberesque affert fructus.

Sicut autem B. Michaël, indefessa praedicatione atque sanctitatis exemplo, totam vitam ad Dei gloriam impendit, ita Deus munifice atque magnifice Famulum suum rependit, eiusque virtutes miraculorum etiam splendore remuneratus est. Quibus ab Ecclesia probatis, Dei Servus Beatorum honoribus die 10 Maii a. 1923 fuit redimitus.

Nec satis. Resumpta enim die 23 Iulii, sequenti anno, canonizationis causa, super duabus sanationibus apostolica auctoritate in Platensi Curia constructi sunt processus; de quorum iuridica vi die 20 Novembris a. 1940 favorabile editum est decretum. Iuridicis actis sedulo perpensis, haec de utraque sanatione eruuntur.

I. Blanca Simioni, decennis puella, in urbe La Plata, gravissima typhica infectione, quae cum enterorrhagiis atque myocardite, ab initio toxica dein organica, attacta fuit. Cum nulla naturalis sanationis spes superesset, novendiales preces pro puellae sanitate obtinenda, per B. Michaëlis intercessionem, ipso medico suadente, a parentibus aliisque ferventer effusae fuere. Dum morbus maxime ingravescit, atque infirma prope moritura erat, die 17 Maii anno 1930 puella illico perfecte sanatur, medico ceterisque mirantibus. In recuperata valetudine Blanca permansit. Tres periti ab hac sacra Congregatione adlecti plene cum medente cum in diagnosi edicenda, tum in iudicio ferendo sanationem supra naturae vires contigisse concordant.

II. In eadem urbe Soror Angela Zanini, e Societate Mariae, puellis loquela et auribus captis educandis praeposita, per nonnullos annos fibromate, cum aliorum quoque gravium malorum concursu, in interno abdomine laborabat. Morbus adeo invaluerat, ut nulla recuperandae valetudinis spes

affulgeret. Quare cum Sodales, tum earumdem curae concredita puellae B. Michaëlis patrocinium implorarunt; qui suae clienti benignissime adfuit. Nocte enim inter diem 9 et 10 Iulii a. 1936, dum Sotor Angela in precibus effusa Beatum impensius invocat, in instanti perfectissime sanata est, atque statim, viribus omnino recuperatis, pristina officia resumpsit, in iisque, bona fruens valetudine, iugiter perserveravit. Medense cum tribus ex officio Peritis in diagnosi, in prognosi atque in sanatione divinae actioni exclusive tribuenda conveniunt.

De his duabus sanationibus, servato iuris ordine, prius in Anteparae-paratorio Sacrae Congregationis coetu, coram infrascripto Cardinali S. R. C. Praefecto atque Causae Ponente, die 17 Februarii a. 1942 actum est, deinde in Praeparatorio, die 13 Aprilis anteacti anni, demum in Generali coram Srmo D. N. Pio Papa XII, die 15 mensis huius habito: in quo idem Cardinalis dubium proposuit discutiendum: *An et de quibus miraculis, post indultam ab Apostolica Sede eidem Beato venerationem, constet in casu et ad effectum de quo agitur.* Revm Cardinales, Officiales Praelati Patresque Consultores suum quisque protulit suffragium. Beatissimus vero Pater suam aperire mentem ad hanc distulit diem, Dominicam primam sacratissimae Quadra-gesimae, ut a Deo effusis precibus quid agendum imploraret.

Eapropter Sanctitas Sua subsignatum Cardinalem, R. P. Salvatorem Natucci, Fidei Promotorem generale meque Secretarium ad Se advocavit, atque, divino sacrificio religiose litato, edixit: *Constare de duobus miraculis, B. Michaëlis Garicoite interveniente, patratis, videlicet: De instantanea perfectaque sanatione cum Blancae Simioni a gravissima typhica infectione cum enterrobaggiis atque myocardite organica, tum Sororis Angelae Zanini a fibromate, aliis gravibus adiunctis morbis, in interno abdomine.*

Hoc autem decretum publici iuris fieri et in acta S. Rituum Congre-gationis referri mandavit.

Datum Romae, die 27 Februarii, Dominica prima Quadragesimae. a. D. 1944.

✠ C. Card. SALOTTI, Ep. Praen., Praefectus.

## BOOK REVIEW

*The Man Nearest to Christ.* Nature and Historic Development of the Devotion to St. Joseph. By F. L. Filas, S.J. (Religion and Culture Series.) The Bruce Publishing Company, Milwaukee. (No price given.)

As its sub-title indicates, this book is neither purely devotional nor purely theological. The author's object has been to summarize the available information concerning the life of St. Joseph and to sketch the history of the devotion to him. While making no claim to be a work of scientific research, and being in fact too much condensed to be easily readable and therefore "popular", Fr. Filas' book does, however, succeed in providing what it is designed to provide—a convenient summary.

Perhaps one of the most interesting features of this history is the providential part which has been played in it by the apocryphal stories of the Infancy of Our Lord which appeared successively during the first five centuries of the Christian era, and to which Fr. Filas rightly devotes considerable attention in the first chapter of his book. It is just because the Gospels, which are our only authentic and reliable records, afford such meagre information about the events of the Sacred Infancy that the writers of the apocrypha devote all their powers of imagination to the task of furnishing highly coloured and detailed descriptions of incidents which there is no ground for supposing ever really occurred. Nevertheless, the fact that St. Joseph figures so prominently in these fabulous accounts may be regarded as a proof that there existed a wide interest in the Saint which they were intended to satisfy—as a proof, in fact, that devotion to St. Joseph already existed among the faithful. As Fr. Filas shows, the influence of the apocrypha lasted on well into the Middle Ages and beyond, forming the basis for the poetic “Lives” of Our Lady and the miracle plays which were so popular during that period and which did so much to perpetuate and foster devotion to St. Joseph. It was only when the countervailing influence of the scholastic theologians began to make itself felt in popular devotion that the legendary elements were gradually eliminated. First among these to disappear was the belief in an earlier marriage of St. Joseph: from the eleventh century onwards the doctrine of the Saint’s perpetual virginity is unanimously accepted. Less yielding to saner counsels, however, has been the conviction that St. Joseph was a very old man at the time of his marriage to Our Lady, a theory which also owes its origin to the apocrypha, in some of which the Saint is represented as marrying Mary at the advanced age of 91. Due in the first instance, no doubt, to a laudable solicitude for the doctrine of Our Lady’s virginity, and perpetuated in artistic representations of the Saint, the idea of St. Joseph as a very old man still lingers in the minds of the faithful. Fr. Filas opportunely reminds us that, if we consider the providential function which St. Joseph was called upon to discharge, namely, to appear in the eyes of men as the true father of Jesus and thus safeguard the honour of Mary His Mother, and also to provide for and to protect the Holy Family, we shall readily admit that he is more likely to have become the husband of Mary when he was a man in the prime of life, perhaps about thirty years of age.

Among the important questions dealt with by Fr. Filas is the very difficult one which concerns St. Joseph’s apparent doubt over the chastity of his betrothed. Attempts to solve this problem have hitherto been based upon two suppositions: first, that among the Jews betrothal conferred complete marital rights, and, secondly, that St. Joseph’s doubt arose from his having observed external signs of Mary’s pregnancy. The solution proposed by Fr. Gaechter, S.J.—and summarized here, in an extremely condensed form, by the author—denies both these suppositions; it suggests that Joseph learned of Mary’s condition only through her mother, that he thereupon hastened forward the proposed date of the marriage, and immediately afterwards moved to Bethlehem for the birth of Jesus, which took place five months later. The time-table of events, according to this hypothesis, is thus put schematically by Fr. Filas: “Mary was betrothed in



October of the first year. The annunciation occurred in June—eight months later. Within two weeks Mary left to visit Elizabeth, with whom she stayed during July, August and September. During October she returned to Nazareth, and the marriage feast and journey to Bethlehem followed directly. Five months later, in March of the third year, Our Lord came into the world."

If we consider devotion to St. Joseph from the theological point of view, it may be said to have grown in direct proportion to the prominence which has been given to his fatherhood in respect of the Word Incarnate. So long as the prime necessity was that of emphasizing the virginal Motherhood of Mary—i.e. roughly speaking, during the first thousand years of the Christian era—St. Joseph's fatherhood continued to be described, in close adherence to the scriptural narrative, as merely putative. Confronted with a fatherhood of a unique kind, concerning which only one thing could be affirmed with certainty, viz. that it was not physical or natural, it was to be expected that theologians should describe it in negative rather than in positive terms; nor, we might suggest, is Fr. Kemper (quoted here by the author) quite justified in calling such adjectives "denaturing". St. Augustine had paved the way for a new development in calling Joseph a "virginal father", and with the fuller understanding of the essence of the matrimonial contract came a greater insistence on the true marriage existing between Mary and Joseph: it was, in the words of St. Thomas, "a marriage specially ordained by God in order that this offspring might be received and educated therein". All this made for a deeper appreciation of the unique character of St. Joseph's fatherhood, culminating in attempts which have been made recently,<sup>1</sup> to regard the virginity of St. Joseph as in some sense a joint cause, together with the virginity of Mary, of the very conception of the Word Incarnate. Such speculations may perhaps be attended with some dangers, but they have at any rate served to shed light upon the pre-eminent function of St. Joseph in the work of the Incarnation, and correspondingly contributed to fostering devotion to him among the faithful. During the past 400 years it has made increased progress in consequence of the important pronouncements of Pius IX, Leo XIII, Benedict XV, and Pius XI on the subject of St. Joseph. Its most advanced stage is described by Fr. Filas in an Epilogue, where he records the attempts which have been made to induce the Holy See to authorize a special cult of St. Joseph, to be called *protolatRIA*, and also to obtain the insertion of his name among the saints mentioned in the Canon of the Mass. With these efforts Fr. Filas is in evident sympathy, a sympathy which will be shared by many; and if theologians hesitate to agree with his contention that "as long as Joseph is not invoked in the Mass he is being deprived of the veneration which is owed him", or that "it seems unfair not to recognize the Patron of the Church in the Church's most exalted act of worship", they will see in this not altogether happy choice of words only the pardonable impatience of a zealous devotee.

G. D. S.

<sup>1</sup> See THE CLERGY REVIEW, 1939, XVII, p. 437.

## CORRESPONDENCE

## BISHOP HEDLEY—HIS THOMISM

(THE CLERGY REVIEW, 1945, XXV, p. 71)

Mr. Peter Stubbs writes:

In an article recording the fiftieth anniversary of the publication of "Bishop Hedley's Retreat", your contributor writes: "He [Bishop Hedley] had the advantage of being trained in the philosophy of St. Thomas and in the Summa by a professor of exceptional powers, Father Austin Bury, who had himself been trained at Parma by a certain Abbot Bianchi an ardent Thomist forty years before Pope Leo's *Aeterni Patris*."

It may be worth pointing out, however, that at times Bishop Hedley expressed himself in a way that gave justifiable grounds for suspecting the integrity of his Thomism.

In the pages of *The Ushaw Magazine* for July 1916 a critic—I think I am correct in saying it was Dr. Edward Towers—drew attention to the un-Thomistic character of an explanation, apparently counteracted by Bishop Hedley, importing a merely subjective mode of existence to the species of the bread and wine in the Blessed Sacrament (vide *Our Divine Saviour*, p. 98). The same critic also pointed out the equally un-Thomistic piece of epistemology contained in the statement—"all that the reason can be brought face to face with are subjective impressions, and the objective reality can never be touched either by the hand or by the spirit". (*The Holy Eucharist* p. 42.)

In the issue of the same magazine for March 1917, Bishop Hedley's expressions were defended in a lengthy rejoinder by a former pupil. This defence was replied to by the Bishop's critic who reaffirmed the substance of his original animadversions. And it can scarcely be doubted, I think, that in the instances cited Bishop Hedley certainly *expressed* himself in an idiom not to be expected from a Thomist to the manner born.

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*Ex quadam obligatione quae tuo annexa est officio, exigitur a te spiritualium frugum mensura propensior; ut sis devotior in oratione, in lectione studiosior, in castitate cautior, parcior in sobrietate, patientior in duris, in risu rarior, suavior in conversatione gravior, in vultu et gestu et habitu, moderatior in verbis, profusior in lacrimis, in caritate ferventior. (Peter of Blois, *De instit. episcop.*, c. 4.)*

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